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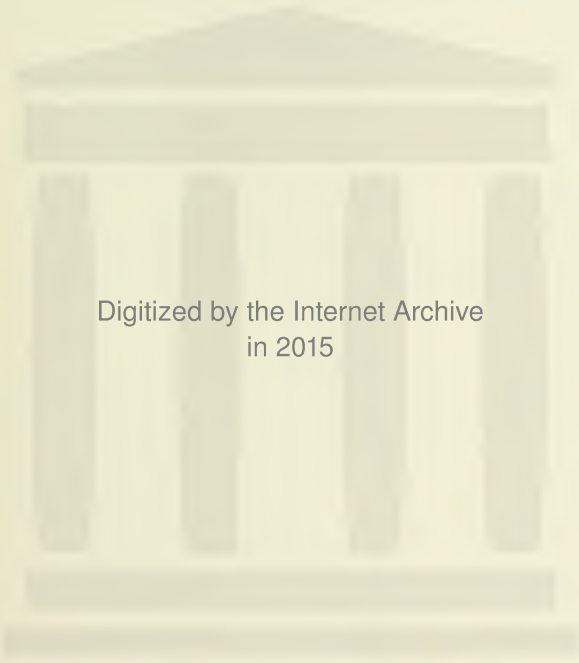


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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 5, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN
ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

Rules Committee

Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday

1:00 PM

Wednesday

10:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 15

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

110292 [Accept and Expend Grant - Federal Emergency Operations Center - \$800,000]

Sponsor: Farrell

Resolution authorizing the Department of Emergency Management to accept and expend grant funds in the amount of \$800,000 from the California Emergency Management Agency for improvements to the City's Emergency Operations Center.

Resolution No. 155-11

ADOPTED

Recommendations of the Land Use and Economic Development Committee**101053 [Planning Code - Zoning - Establishing Consistent Setback, Street Frontage, Off-Street Parking, and Other Planning Code Requirements and Procedures Across Various Use Districts]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 136, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 206.3, 209.8, 210.3, 212, 231, 243, 253, 253.2 and 307, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, 209.10, and 249.26 to: 1) create comprehensive and consistent street frontage controls for residential districts; 2) create consistent ground floor controls for industrial districts; 3) permit certain small corner commercial uses in RM-3 and RM-4 districts; 4) modify floor area ratio controls in the Van Ness Special Use District; 5) modify conditional use requirements for buildings over 40 feet in RM and RC districts; 6) amend the procedure for granting exceptions from off-street parking and loading requirements; 7) allow parking and loading exceptions to preserve historic buildings and landmark trees; 8) make certain Planning Code controls consistent across C-3 Districts; and 9) streamline language and correct out-of-date Code references; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 63-11**FINALLY PASSED****110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]****Sponsor: Mirkarimi**

Ordinance: 1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and 2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 62-11**FINALLY PASSED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

100962 [Appropriating \$1,300,000 of General Fund Reserve - Ethics Commission Public Election Campaign Finance Fund for FY2010-2011]

Sponsors: Avalos; Mirkarimi, Campos and Mar

Ordinance appropriating \$1,300,000 of General Fund Reserve for the Ethics Commission in the Public Election Campaign Finance Fund for FY2010-2011.
(Fiscal Impact.)

Ordinance No. 64-11

FINALLY PASSED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi

Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

NEW BUSINESS

Recommendation of the Budget and Finance Committee

110352 [Disproportionate Federal Cuts to the Community Development Block Grant Program]

Sponsors: Mayor; Chu, Avalos, Chiu, Mirkarimi, Kim and Mar

Resolution urging the Federal government to minimize the cuts to the Community Development Block Grant Program proposed by the President and the United States Congress.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 157-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Budget and Finance Sub-Committee

110210 [Airline/Airport Lease and Use Agreements - Various Airlines]

Resolution approving leases to the terms of eight (8) new Airline/Airport Lease and Use Agreements between the City and various airlines, effective July 1, 2011, to allow such Airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

Resolution No. 156-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110318 [Accept and Expend Grant - Used Motor Oil Recycling - \$114,138]

Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$114,138 from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

Resolution No. 158-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Sub-Committee Without Recommendation

110155 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]

Sponsors: Mayor; Kim, Chiu, Farrell, Cohen, Wiener and Chu

Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the Office of Economic and Welfare Development.

(Fiscal Impact; Economic Impact.)

Supervisor Kim, seconded by Supervisor Mar, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the City Administrator.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 3 - Avalos, Campos, Mirkarimi

Recommendation of the City Operations and Neighborhood Services Committee

Supervisor Kim was noted absent at 3:15 p.m.

110255 [Endorsing Community Concerns of Surveillance, Racial, and Religious Profiling]

Sponsors: Mirkarimi; Mar, Avalos, Campos and Chiu

Resolution endorsing "Community Concerns of Surveillance, Racial, and Religious Profiling of Arab, Middle Eastern, Muslim, and South Asian Communities (AMEMSA) and Potential Reactivation of Police Department's Intelligence Gathering," a report published by the San Francisco Human Rights Commission.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 160-11

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

Absent: 1 - Kim

Recommendations of the Land Use and Economic Development Committee**101537 [Planning Code - Urban Agriculture]**

Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Mar

Ordinance amending the Planning Code to update controls related to urban agricultural uses by adding Section 102.34 to define urban agriculture, including neighborhood agriculture and large-scale urban agriculture, and amending Sections 204.1, 209.5, 227, 234.1, 234.2, and Articles 7 and 8 to regulate such uses in various zoning districts; and making findings including environmental findings and findings of consistency with General Plan and Section 101.1.

Supervisors Mirkarimi and Mar requested to be added as co-sponsors.

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

Absent: 1 - Kim

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

Absent: 1 - Kim

110313 [Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]

Sponsors: Mayor; Chiu, Cohen and Farrell

Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

Supervisor Farrell requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

Absent: 1 - Kim

Supervisor Kim was noted present at 3:24 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

COMMITTEE REPORT

Recommendation of the Rules Committee

110142 [Appointment, Ethics Commission - Dorothy Liu]

Motion appointing Dorothy Liu, term ending February 1, 2017, to the Ethics Commission. (Clerk of the Board)

Dorothy Liu, seat 1, succeeding Eileen Hansen, term expired, must be broadly representative of the general public, for the unexpired portion of a six-year term ending February 1, 2017.

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion **FAILED** by the following vote:

Ayes: 3 - Avalos, Mar, Mirkarimi

Noes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Motion No. M11-50

APPROVED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Avalos

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Emil Spousa; expressed concerns relating to botanical garden fees.

David Eldridge; expressed concerns relating to botanical garden fees.

Natesh Daniel; expressed concerns relating to performing arts.

Ace Washington; expressed various concerns.

Male Speaker; expressed various religious concerns.

Edmond Juicye; expressed various concerns.

CLOSED SESSION - CONFERENCE WITH CITY ATTORNEY - Existing Litigation

110331 [Closed Session – Lawsuit - CTIA v. CCSF – Case No. 10-3224]

Sponsor: Chiu

Motion that Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding a lawsuit entitled CTIA v. City and County of San Francisco, Case No. 10-3224, filed in the Northern District of California, related to an ordinance adopted by the Board often referred to as the "Cell Phone Right to Know" Legislation.

This closed session is held pursuant to Government Code Section 54957.6 and Administrative Code Section 67.10(d)(1). Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

RECONVENED IN CLOSED SESSION

The Board recessed at the hour of 4:12 p.m. to reconvene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Persons in attendance:

Melanie Nutter, Director, Department of the Environment

Cheryl Adams, Deputy City Attorney

Vince Chhabria, Deputy City Attorney

Angela Calvillo, Clerk of the Board

Rick Caldeira, Legislative Deputy Director

Matter was heard and filed.

RECONVENING OF THE BOARD

The Board at the hour of 5:06 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Elsbernd, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110341 [Bishop Otis Charles Day - April 24, 2011]

Sponsor: Wiener

Resolution honoring Otis Charles and proclaiming April 24, 2011, to be Bishop Otis Charles Day in the City and County of San Francisco.

Resolution No. 159-11

ADOPTED

110371 [Final Map 4343 - Mission Bay]

Motion approving Final Map No. 4343, Mission Bay, a 669 unit residential and 18 unit commercial condominium project within three buildable lots being a subdivision of Assessor's Block No. 8710 Lot No. 4; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

Motion No. M11-51

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Charter Amendment

110401 [Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy]

Sponsor: Wiener

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy.

04/05/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/5/2011.

Ordinances**110399 [Business and Tax Regulations Code - Creation of a Citizen Advisory Committee for the Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]****Sponsors: Kim; Chiu, Mar and Campos**

Draft ordinance amending Article 12-A of the Business and Tax Regulations Code by amending Section 906.3 concerning the qualifications for and number of members on the Central Market and Tenderloin Area Citizen Advisory Committee for the Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area.

04/05/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

110226 [Development Agreement - Treasure Island/Yerba Buena Island]**Sponsor: Mayor**

Ordinance approving a Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, for certain real property located within Treasure Island/Yerba Buena Island; exempting certain sections of Administrative Code Chapter 6, Chapter 14B and Chapter 56; and adopting findings, including findings under the California Environmental Quality Act, findings of consistency with the City's General Plan and with the Eight Priority Policies of Planning Code Section 101.1(b), and findings relating to the formation of infrastructure financing districts.

(Fiscal Impact, Economic Impact.)

03/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110227 [Zoning Map Amendment - Treasure Island/Yerba Buena Island Development Project]**Sponsor: Mayor**

Ordinance amending the Zoning Map of the City and County of San Francisco by adding new Sectional Map ZN14 to show the zoning designations of Treasure Island/Yerba Buena Island; adding new Sectional Map HT14 to establish the Height and Bulk District for Treasure Island/Yerba Buena Island; adding new Sectional Map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110228 [General Plan Amendments - Treasure Island/Yerba Buena Island Development Project]**Sponsor: Mayor**

Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index, maps and figures in various elements, and by adopting and adding the Treasure Island/Yerba Buena Island Area Plan, in order to facilitate the development of Treasure Island/Yerba Buena Island as endorsed by the Board of Supervisors and the Mayor in 2006 and updated in 2010, in order to facilitate the development of Treasure Island/Yerba Buena Island as envisioned in the Treasure Island/Yerba Buena Island Redevelopment Plan, adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011
4/22/11 - Notice was published, posted, and mailed.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110230 [Subdivision Code - Treasure Island/Yerba Buena Island]**Sponsor: Mayor**

Ordinance amending the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island/Yerba Buena Island Project Site described in the Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, relative to Naval Station Treasure Island, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making findings, including General Plan consistency findings and Section 101.1 findings, and environmental findings.
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110337 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]**Sponsors: Mirkarimi; Campos and Mar**

Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to stock compensation.
(Fiscal Impact; Economic Impact.)

03/29/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/28/2011.

04/04/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions

110402 [Accept and Expend Grant - Community Oriented Policing Services - \$750,000]

Sponsor: Cohen

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Community Oriented Policing Services Grant in the amount of \$750,000 from the United States Department of Justice for the period December 16, 2009, to December 15, 2012.

04/05/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110405 [Arelious Walker Drive Stairway Improvements]

Sponsor: Cohen

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

04/05/11; ASSIGNED to Board of Supervisors.

110408 [Redevelopment Improvements to the Bayview Opera House and Plaza]

Sponsor: Cohen

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

04/05/11; ASSIGNED to Board of Supervisors.

110409 [Accept and Expend Grant - GreenFinanceSF - \$372,600]

Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$372,600 from the California Energy Commission's State Energy Program through Ecology Action to support GreenFinanceSF.

04/05/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110410 [Opposing the Golden Gate National Recreation Area's Currently Proposed Draft Off-Leash Policy and Supporting the On-Going Dialogue between GGNRA and San Francisco]

Sponsors: Wiener; Avalos

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's preferred alternatives for dog management.

04/05/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110411 [Supporting California Assembly Bill 889 - Domestic Worker Bill of Rights]**Sponsors: Avalos; Mar**

Resolution urging the California legislature and the Governor of California to pass Assembly Bill 889, the "Domestic Worker Bill of Rights," as an expression of respect for the dignity and equality of domestic workers and the importance of the work they perform.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110412 [Fare Schedule for Pedicabs Operated by SF Student Jobs Coalition]**Sponsor: Chiu**

Resolution approving the fare schedule for pedicabs operated by SF Student Jobs Coalition.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110413 [Accept and Expend Grant - Joint Use School Facilities Project - \$23,000]**Sponsors: Chu; Mar**

Resolution authorizing the Department of Children, Youth, and Families to retroactively accept and expend grant funding in the amount of \$23,000 from the California Department of Public Health to fund a collaborative project with the San Francisco Unified School District to develop a policy related to the joint use of school district facilities that will benefit the school district, city, and community by increasing access to space where educational, health, social services, sports, recreation, and other activities can be provided for the period of September 15, 2010, through January 31, 2012.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110414 [Accept and Expend Grant - Forensic Science Improvements - \$35,393]**Sponsor: Elsbernd**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a Paul Coverdell Forensic Science Improvement Grant in the amount of \$35,393 from the California Emergency Management Agency.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110415 [California Poets in the Schools Day - April 16, 2011]**Sponsors: Mar; Chiu**

Resolution declaring April 16, 2011, as California Poets in the Schools Day in San Francisco.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110416 [Supporting Upward Bound Project]**Sponsors: Mirkarimi; Mar**

Resolution in support of the Upward Bound Project and affirming the City's continuing need for such a program, urging the University of San Francisco (USF) to use its best efforts to maintain the Upward Bound Program on the USF Campus thereby assuring that Upward Bound retains its eligibility to receive Federal funds.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110289 [Homeless Development Initiative Agreement - Treasure Island/Yerba Buena Island]
Sponsor: Mayor**

Resolution approving the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative; adopting findings that the agreement is consistent with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal Impact, Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110290 [Economic Development Conveyance Memorandum of Agreement - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Resolution approving the Economic Development Conveyance Memorandum of Agreement for the transfer of former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority; adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal Impact, Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110291 [Disposition and Development Agreement and Interagency Cooperation Agreement - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Resolution approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located on Treasure Island/Yerba Buena Island; approving an Interagency Cooperation Agreement between the City and the Treasure Island Development Authority; and adopting findings that the agreements are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Economic Impact, Fiscal Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110328 [CEQA Findings - Treasure Island/Yerba Buena Island Development Project]**Sponsor: Mayor**

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of Treasure Island/Yerba Buena Island, as envisioned in the Development Plan for the Treasure Island/Yerba Buena Island Project Area.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110340 [Public Trust Exchange Agreement - Treasure Island/Yerba Buena Island]**Sponsor: Mayor**

Resolution approving the Public Trust Exchange Agreement between the Treasure Island Development Authority and the California State Lands Commission in furtherance of the Treasure Island/Yerba Buena Island Project; adopting findings that the Public Trust Exchange Agreement is consistent with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1.

03/29/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Motions**110400 [Campaign and Governmental Conduct Code - Modifying Registration and Disclosure Requirements for Campaign Consultants]****Sponsor: Wiener**

Motion ordering submitted to the voters an ordinance amending Article I, Chapter 5, of the Campaign and Governmental Conduct Code, to modify registration and disclosure requirements for campaign consultants at an election to be held on November 8, 2011.

04/05/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/5/2011.

110420 [Closed Session - Pension, Health Care, and Retiree Health Care Reform]**Sponsor: Chiu**

Motion for the Board of Supervisors to convene in closed session to consult with the Mayor and City's Labor Relations Negotiators for the purpose of reviewing the City's positions and the Mayor's instructions to the Negotiators relating to: (a) pension, health care, and retiree health care reform proposals, and the meet and confer process regarding wages, hours, benefits, and working conditions currently underway between the City and City employee bargaining units to address the costs associated with providing these benefits; and (b) pending labor negotiations with organizations representing employees in the two MOUs expiring June 30, 2011 (e.g., District Attorney Investigators Association and Committee on Interns and Residents), as well as the Unrepresented Ordinance.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

04/05/11; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing**110417 [Hearing - Payroll Expense Tax Biotechnology Exclusion]****Sponsor: Campos**

Hearing on whether the payroll expense tax biotechnology exclusion has met its intended goals, including, but not limited to, the goals of helping to revive the local economy, creating jobs, creating an increase in property tax revenue to the city, and generating a biotechnology industry cluster in San Francisco.

04/05/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110418 [Hearing - Public Health Budget Update for FY2011-2012]**Sponsor: Chu**

Hearing to receive an update on the Department of Public Health's Budget for FY2011-2012.

04/05/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES****110333 [Settlement of Lawsuit - Michael Pinkston - \$30,000]**

Ordinance authorizing the settlement of lawsuit filed by Michael Pinkston against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 24, 2010, in San Francisco Superior Court, Case No. CGC-10-498074, entitled Michael Pinkston v. City and County of San Francisco, et al. (City Attorney)

03/22/11; RECEIVED AND ASSIGNED to Rules Committee.

110334 [Transportation Code - Limits for Parking at Inoperable/Broken Meters]

Ordinance amending San Francisco Transportation Code, Division I, by amending Section 7.2.30 to establish a two hour maximum time limit for parking at inoperable or broken parking meters for on-street parking, and adding Section 7.2.65 to establish a two hour maximum time limit for parking at inoperable or broken parking meters for off-street parking. (Municipal Transportation Agency)

03/28/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2011.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations:

Residential and Commercial Buildings

79 Haight St.

798 Haight, on side

401 Divisadero

539 Gough

Approximately 175 Rose

Approximately 187 Rose

1772 Market St., on the West side

Southwest corner of Pine and Fillmore

Approximately 1630 Fillmore

1490 Fillmore, on the North side

625 Fillmore

Approximately 530 Fillmore

688 Oak

Planter Boxes

2205 Sutter

701 Fillmore

Parking Lots

Southeast and Northeast corners of Rose and Octavia

Southeast and Northeast corner of Haight and Octavia

Billboards

1400 – 9th Avenue

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southwest corner of Carl and Stanyan

347 Judah

Northwest corner of O'Farrell and Fillmore

Northeast corner of Divisadero and Post

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Northwest corner of Hayes and Gough

2435 California

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Southwest corner of 4th Avenue and Irving

Southeast corner of Haight and Fillmore

Irving and 7th Avenue

347 Judah

451 Kirkham

Southwest corner of Irving and 5th Avenue
1401 9th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northeast corner of 4th Avenue and Irving
Southeast corner of Haight and Fillmore
2435 California
Northeast corner of O'Farrell and Fillmore
1401 – 9th Avenue
Southwest corner of 5th Avenue and Irving

SF Weekly

Southwest corner of Carl and Stanyan
1401 – 9th Avenue
Southwest corner of Sutter and Fillmore
Northwest corner of O'Farrell and Fillmore
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

Advertiser

Northeast corner of O'Farrell and Fillmore

Jobs and Careers

347 Judah
Southwest corner of 4th Avenue and Parnassus

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Opposite 1638 Fell along North sidewalk in Panhandle
600 Stanyan
Opposite 32 Irving
Northeast corner of Haight and Octavia
Northwest corner of Post and Fillmore
Approximately 710 Fillmore
500 Fillmore

Mailboxes

Southeast corner of Bush and Fillmore
Southwest corner of Hayes and Fillmore
2320 Sutter
2130 Post
451 Kirkham

Public Benches

Opposite 1450 Fell, along North sidewalk in Panhandle
North of the basketball court in Panhandle
Opposite 1882 Fell, along North sidewalk in Panhandle
Opposite 1974 Fell, along North sidewalk in Panhandle
Opposite 2080 Fell, along North sidewalk in Panhandle

*Street Walls and Overpasses**South facing wall in the Fillmore-Turk Mini Park**Fire Hydrants**Northeast corner of Page and Fillmore**Approximately 2030 Post**Southeast corner of Divisadero and Oak**From: Supervisor Mirkarimi**To: Director, Department of Public Works**Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:**Utility Boxes**Approximately 1136 Oak**Opposite 1550 Fell in Panhandle**Southeast corner of Haight and Stanyan**Northeast corner of Stanyan and Carl**Southwest corner of 2nd Avenue and Irving**Southwest corner of 4th Avenue and Irving**Southeast corner of Octavia and Oak**Southeast corner of Octavia and Haight**500 Fillmore**2201 Post**Bus Shelters**600 Stanyan**Northeast corner of Geary and Webster**Approximately 710 Fillmore**Emergency Box**Northwest corner of Pierce and Sutter**Parking Meters**Southeast corner of Post and Webster**1964 Post**Parking and Traffic Signs**940 Page**1414 – 6th Avenue**Southwest corner of Gough and Grove**2028 Fillmore**Northwest corner of Page and Fillmore**From: Supervisor Mirkarimi**To: Director, Department of Public Works**Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:**Metal Poles**Southwest corner of Divisadero and Oak**Opposite 32 Irving**Approximately 685 Parnassus**1462 – 9th Avenue**1459 – 9th Avenue**Approximately 139 Kirkham**1445 – 8th Avenue*

Opposite 1449 – 8th Avenue
1435 – 7th Avenue
1440 – 6th Avenue
1496 – 6th Avenue
443 Irving
Southeast corner of Haight and Octavia
Southeast corner of Eddy and Webster
Approximately 2475 California
Throughout parking lot and underneath billboard at 2435 California
Approximately 830 Fillmore
Approximately 720 Fillmore
2183 Sutter
Approximately 2335 Sutter
2200 Post
Approximately 2190 Post
Approximately 2110 Post
685 Oak
Approximately 2090 Post
Northwest corner of Page and Fillmore
Approximately 140 Kirkham

Wood Poles
1350 – 4th Avenue
624 Fillmore
450 Fillmore

Concrete Poles
Approximately 1250 Oak
Approximately 1280 Oak
Southwest corner of Baker and Fell
South of intersection of Fell and Ashbury, along North walk in Panhandle
213 Carl
251 Carl
Opposite 468 Carl
549 Irving

In Memoriams

Aimee Polacci – President Chiu, Supervisors Elsbernd and Chu
Michael Robert Roach – Supervisor Elsbernd
Thomas Patrick Brady – Supervisor Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:07 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 10, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 12, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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DOCUMENTS DEPT

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DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN
ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee
Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee
Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee
Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee
Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Mirkarimi, Cohen, Campos

Rules Committee
Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
10:00 AM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 16

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of March 8, 2011, and the Special Board Meeting Minutes at the Budget & Finance Committee Meeting (File No. 100962) of March 9, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener

Absent: 1 - Mar

Supervisor Mar was noted present at 2:11 p.m.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

110342 [Formal Policy Discussions - April 12, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 1, 3, 5, 7, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. What policies and ideas do you propose to create a framework where all neighborhoods and business districts get assistance and advantages in terms of job creation and community benefits? Additionally, how will you ensure the greatest possible community participation in the creation of a community benefits agreement in midmarket and any other community? (Supervisor Mar, District 1)
2. How do you view the relative levels of cuts that will be required in major areas of City government - for example, public health, public safety, social services, and parks - and the extent to which you plan to identify new revenues to close our significant deficit? (Supervisor Chiu, District 3)
3. Governor Brown's Bill, AB 109, shifts responsibility for housing tens of thousands of inmates to municipalities, but local funds do not exist to handle the additional inmates. What are your ideas for how San Francisco should deal with this issue? (Supervisor Mirkarimi, District 5)
4. What are your thoughts on reforms to City employee pensions, health care, and retiree health care? (Supervisor Elsbernd, District 7)
5. Given your recent tour and subsequent conversations we have had over the Balboa Park Station Area, what are your plans to develop and help realize the area as a true, full service transit hub that adequately services the residents and users, as opposed to its current priority by the City and SFMTA as a maintenance facility? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

110155 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]

Sponsors: Mayor; Kim, Chiu, Farrell, Cohen, Wiener and Chu

Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the City Administrator. (Fiscal Impact; Economic Impact.)

Supervisor Kim, seconded by Supervisor Elsbernd, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 3 - Avalos, Campos, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

101537 [Planning Code - Urban Agriculture]

Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Mar

Ordinance amending the Planning Code to update controls related to urban agricultural uses by adding Section 102.34 to define urban agriculture, including neighborhood agriculture and large-scale urban agriculture, and amending Sections 204.1, 209.5, 227, 234.1, 234.2, and Articles 7 and 8 to regulate such uses in various zoning districts; and making findings including environmental findings and findings of consistency with General Plan and Section 101.1.

Ordinance No. 66-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

1101313 [Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]**Sponsors:** Mayor; Chiu, Cohen and Farrell

Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

Ordinance No. 65-11**FINALLY PASSED** by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS**From the Budget and Finance Committee Without Recommendation****110225 [Park Code - Botanical Garden Non-Resident Fees]****Sponsor:** Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46 to: 1) extend admission fees to the Botanical Garden for non-San Francisco residents beyond June 30, 2011; and 2) eliminate the provision cancelling this admission fee if the Recreation and Park Department receives revenue from a new tax that can be used for Botanical Garden operating and maintenance costs, and make environmental findings.
(Fiscal Impact:)

Supervisor Chiu, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 2 - Avalos, Campos

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46 to: 1) extend admission fees to the Botanical Garden for non-San Francisco residents until September 30, 2013; and 2) eliminate the provision cancelling this admission fee if the Recreation and Park Department receives revenue from a new tax that can be used for Botanical Garden operating and maintenance costs, and make environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110113 [Appropriating \$143,445 of General Fund Property Transfer Tax and Reducing Botanical Garden Fee Revenue for FY2010-2011]**Sponsor:** Avalos

Ordinance appropriating \$143,445 of General Fund from new property transfer tax and reducing botanical garden fee revenues, which will be rescinded as of the effective date of this ordinance, in the Department of Recreation and Park for FY2010-2011.

PASSED ON FIRST READING. The motion **FAILED** by the following vote:

Ayes: 4 - Avalos, Campos, Mar, Mirkarimi

Noes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Recommendations of the Budget and Finance Sub-Committee**110349 [Accept and Expend Grant - Office of Financial Empowerment Direct Deposit Program - Citywide Electronic Pay and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$240,000]****Sponsor: Campos**

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of \$240,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Direct Deposit Program, and amending Ordinance 191-10 (Annual Salary Ordinance, FY2010-2011) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110223 [Public Works Code - Waiver of Street Encroachment Permit Fees - Stairway Improvements on 48th Avenue at Balboa Street]**Sponsor: Mar**

Ordinance waiving the Street Encroachment Permit Fees in Public Works Code Section 2.1.1 and Public Works Code Sections 786 et seq. for stairway improvements on the unaccepted stairway located on the western side of 48th Avenue between Balboa and Anza Streets.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110350 [Annual Reports - Yerba Buena Community Benefit District]**Sponsor: Kim**

Resolution regarding Yerba Buena Community Benefit District Annual Reports to the City by receiving and approving the District's Annual Reports for FYs 2008-2009 and 2009-2010, which include the District's proposed budget for FY2010-1011, as submitted, pursuant to Section 36650 of the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 161-11**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110351 [Authorizing Expenditures from SOMA Community Stabilization Fund - \$100,000]**Sponsors: Mayor; Kim**

Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization funds in the amount of \$100,000 to provide grants to nonprofit organizations for: 1) a SOMA Community Coordinator to coordinate and focus community participation related to the development of 333 Harrison; 2) assistance in reassessing and refining the SOMA Community Stabilization Fund Strategic Plan.

Resolution No. 162-11**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee**110147 [General Plan Amendment - Mission District Streetscape Plan]**

Ordinance amending the San Francisco General Plan by amending Policy 5.3.7 of the Mission Area Plan to reflect the adoption of the Mission District Streetscape Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Cathy Chin in recognition of National Safety Telecommunicator's Week and for being named Department of Emergency Management's Employee of the Year. Anne Kronenberg, Department of Emergency Management Director, shared in the recognition.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the Eagle Tavern in recognition of their accomplishments and continued community support. Supervisors Campos and Wiener shared in the recognition.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Ruth Mahaney, Kate Maxwell, and C. Kermit Berry-Skillen of the Modern Times Bookstore in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

Supervisor Elsbernd was noted absent at 4:42 p.m.

110261 [Public Hearing - Appeal of Final Environmental Impact Report - 350 Mission Street Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's February 10, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.1524E, through its Motion No. 18265, for the proposed 350 Mission Street Project. (District 6) (Appellant: Alex DeGood, on behalf of the owners of 50 Beale Street). (Filed March 2, 2011; Companion File Nos. 110262, 110263, 110264.)

The President inquired as to whether any member of the public wished to address the Board. Alex DeGood (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Marc Gille; Walter Paulson; spoke in support of the appeal. Brett Bollinger (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Dan Frattin (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Alex DeGood (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110262 [Affirming Certification of Final Environmental Impact Report - 350 Mission Street Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

Motion No. M11-53

Supervisor Kim, seconded by Supervisor Chu, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Absent: 1 - Elsbernd

110263 [Reversing Certification of Final Environmental Impact Report - 350 Mission Street Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

Supervisor Kim, seconded by Supervisor Chu, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Absent: 1 - Elsbernd

110264 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 350 Mission Street Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

Supervisor Kim, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Absent: 1 - Elsbernd

SPECIAL ORDER 4:00 P.M.

Supervisor Elsbernd was noted present at 5:33 p.m.

Supervisors Avalos, Elsbernd, Farrell, and Kim were noted absent at 6:47 p.m.

Supervisor Kim was noted present at 6:54 p.m.

Supervisor Avalos was noted present at 7:03 p.m.

Supervisors Elsbernd and Farrell were noted present at 7:08 p.m.

110307 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1653 Grant Avenue (aka 501 Greenwich Street)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 3, 2010, that a project located at 1653 Grant Avenue (aka 501 Greenwich Street) (Building Permit Application No. 2009.0626.1437, Case No. 2010.0557D) is exempt from environmental review under Categorical Exemption, Class 3 of the CEQA Guidelines (14 Cal. Code Reg Public §15000 et seq.) The proposed project involves installation of a wireless telecommunications service facility to an existing building. The subject property is located in the RM-2 (Residential, Mixed Districts, Moderate-Density) District, the Telegraph Hill-North Beach Residential Special Use District and a 40-X Height and Bulk District, Lot No. 001 in Assessor's Block No. 0088 (District 3) (Appellants: Julie Jaycox and Termeh Yeghiazarian, on behalf of the Telegraph Hill Dwellers).

(Clerk of the Board)

(Filed March 4, 2011 - Companion Measure to Files 110308, 110309, 110310.)

The President inquired as to whether any member of the public wished to address the Board. Julie Jaycox and Termeh Yeghiazarian (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Victoria Robinson; Vedica Puri; Joan Wood; Female Speaker; Walter Paulson; David; Zack Stewart; Eric Brooks; Dave Vanka; Daniel Marshall; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Marlena Byrne, Deputy City Attorney, responded to questions raised throughout the discussion. Paul Albritton and Bill Hammett (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Tommy Tang; Ann Yuey; David; Joel Koppel; Geoffrey Winston; Ivria Benor; Jeff Ente; James Bishop; Regina Vana; Carl Hilsz; Marcia Smith; Female Speaker; Steve Ike; Ron Lee; Mike Leon; Marsha Garland; Stefan; David Cruise; Edmund Juicye; Rebekah Shapiro; Jose; Shirley; Mark Leace; spoke in support of the project and in opposition to the appeal. Julie Jaycox and Termeh Yeghiazarian (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110308 [Affirming the Exemption Determination - 1653 Grant Street]

Motion affirming the determination by the Planning Department that the project located at 1653 Grant Street is exempt from environmental review. (Clerk of the Board)

Motion No. M11-54

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 2 - Mar, Mirkarimi

110309 [Reversing the Exemption Determination - 1653 Grant Street]

Motion reversing the determination by the Planning Department that the 1653 Grant Street project is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 2 - Mar, Mirkarimi

110310 [Preparation of Findings to Reverse the Exemption Determination - 1653 Grant Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1653 Grant Street is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 2 - Mar, Mirkarimi

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

110410 [Opposing the Golden Gate National Recreation Area's Currently Proposed Draft Off-Leash Policy and Supporting the On-Going Dialogue between GGNRA and San Francisco]

Sponsors: Wiener; Avalos

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's preferred alternatives for dog management.

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to April 26, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisors Elsbernd, Farrell, and Mirkarimi were noted absent at 7:42 p.m.

Supervisors Elsbernd and Farrell were noted present at 7:57 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Male Speaker; expressed various religious concerns.

Susan Terrence; expressed support for California Poets in the Schools Day.

Susan Herran; expressed support for California Poets in the Schools Day.

Eric Oesterle; expressed concerns relating to the pending closure of the Eagle Tavern.

Michael Talley; expressed concerns relating to the pending closure of the Eagle Tavern.

Anaconda; expressed concerns relating to the pending closure of the Eagle Tavern.

Dee Leitner; expressed concerns relating to the pending closure of the Eagle Tavern.

Brian Morris; expressed concerns relating to the pending closure of the Eagle Tavern.

Peter Kane; expressed concerns relating to the pending closure of the Eagle Tavern.

Brian Morris; expressed concerns relating to the pending closure of the Eagle Tavern.

Wayne Heiss; expressed concerns relating to the pending closure of the Eagle Tavern.

Edmund Juicye; expressed various concerns.

CLOSED SESSION

110420 [Closed Session - Pension, Health Care, and Retiree Health Care Reform]

Sponsor: Chiu

Motion for the Board of Supervisors to convene in closed session to consult with the Mayor and City's Labor Relations Negotiators for the purpose of reviewing the City's positions and the Mayor's instructions to the Negotiators relating to: (a) pension, health care, and retiree health care reform proposals, and the meet and confer process regarding wages, hours, benefits, and working conditions currently underway between the City and City employee bargaining units to address the costs associated with providing these benefits; and (b) pending labor negotiations with organizations representing employees in the two MOUs expiring June 30, 2011 (e.g., District Attorney Investigators Association and Committee on Interns and Residents), as well as the Unrepresented Ordinance.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

Motion No. M11-52

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

(Employee Organizations: Automotive Machinists, Local 1414; Committee on Interns and Residents; Crafts Coalition; District Attorney Investigators Association; Deputy Probation Officers' Assoc.; District Attorneys' Investigators Assoc.; Deputy Sheriffs Association; Electricians, Local 6; Fire Fighters, Local 798; International Federation of Professional and Technical Engineers, Local 21; Institutional Probation Officers' Assoc.; Laborers, Local 261; Local 1414; Local 21; Municipal Attorneys' Association; Municipal Executives' Association; Operating Engineers Local 3; Plumbers, Local 38; Police Officers' Association; Service Employees International Union, Local 1021; Stationary Engineers, Local 39; Supervising Probation Officers' Assoc.; Supervising Registered Nurses; Teamsters Local 350; Teamsters Local 856; Union of American Physicians and Dentists.) These organizations represent police officers, firefighters, airport police, transit workers, nurses, miscellaneous employees, and other City employees.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 2:42 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Persons in attendance:

Mayor Edwin M. Lee

Steve Kawa, Mayor's Chief of Staff

Greg Wagner, Mayor's Budget Director

Micki Callahan, Director of Department of Human Resources

Martin Gran, Director of Employee Relations

Ben Rosenfield, Controller

Cheryl Adams, Deputy City Attorney

Angela Calvillo, Clerk of the Board

Rick Caldeira, Legislative Deputy Director

Matter was heard in Closed Session and Filed.

RECONVENING OF THE BOARD

The Board at the hour of 3:42 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Mirkarimi, seconded by Supervisor Farrell, moved not disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110412 [Fare Schedule for Pedicabs Operated by SF Student Jobs Coalition]****Sponsor: Chiu**

Resolution approving the fare schedule for pedicabs operated by SF Student Jobs Coalition.

Resolution No. 164-11**ADOPTED****110413 [Accept and Expend Grant - Joint Use School Facilities Project - \$23,000]****Sponsors: Chu; Mar**

Resolution authorizing the Department of Children, Youth, and Families to retroactively accept and expend grant funding in the amount of \$23,000 from the California Department of Public Health to fund a collaborative project with the San Francisco Unified School District to develop a policy related to the joint use of school district facilities that will benefit the school district, city, and community by increasing access to space where educational, health, social services, sports, recreation, and other activities can be provided for the period of September 15, 2010, through January 31, 2012.

*Supervisor Mar requested to be added as a co-sponsor.***Resolution No. 165-11****ADOPTED****110414 [Accept and Expend Grant - Forensic Science Improvements - \$35,393]****Sponsor: Elsbernd**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a Paul Coverdell Forensic Science Improvement Grant in the amount of \$35,393 from the California Emergency Management Agency.

Resolution No. 166-11**ADOPTED****110415 [California Poets in the Schools Day - April 16, 2011]****Sponsors: Mar; Chiu**

Resolution declaring April 16, 2011, as California Poets in the Schools Day in San Francisco.

Resolution No. 167-11**ADOPTED****110416 [Supporting Upward Bound Project]****Sponsors: Mirkarimi; Mar**

Resolution in support of the Upward Bound Project and affirming the City's continuing need for such a program, urging the University of San Francisco (USF) to use its best efforts to maintain the Upward Bound Program on the USF Campus thereby assuring that Upward Bound retains its eligibility to receive Federal funds.

*Supervisor Mar requested to be added as a co-sponsor.***Resolution No. 168-11****ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 110411 be severed so that it may be considered separately.

110411 [Supporting California Assembly Bill 889 - Domestic Worker Bill of Rights]

Sponsors: Avalos; Mar

Resolution urging the California legislature and the Governor of California to pass Assembly Bill 889, the "Domestic Worker Bill of Rights," as an expression of respect for the dignity and equality of domestic workers and the importance of the work they perform.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 163-11

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Mirkarimi

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110434 [Public Works Code - Waiver of Certain Temporary Street Space Occupancy Fees]

Sponsor: Avalos

Ordinance waiving San Francisco Public Works Code Section 724.1(b), which imposes temporary street space occupancy fees, on Saturday, May 7, 2011, and Saturday, May 21, 2011, for certain streets in San Francisco, as part of Small Business Week Sidewalk Sales.

04/12/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/12/2011.

110435 [Business and Tax Regulations Code - Citizen's Advisory Committee - Central Market Street and Tenderloin Area]**Sponsors:** Kim; Chiu

Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.3-1 to establish a Citizen's Advisory Committee for the Central Market Street and Tenderloin Area.

04/12/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

110436 [Public Employment - Office of the Public Defender]**Sponsor:** Mirkarimi

Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of 0.25 Social Worker in the Office of the Public Defender.

04/12/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110437 [Appropriating \$6,209,064 of General Fund Reserve and Re-Appropriating \$2,821,843 for Salaries, Disability, and Workers' Compensation - Sheriff's Department for FY2010-2011]**Sponsor:** Mayor

Ordinance appropriating \$6,361,808 of General Fund Reserve and re-appropriating \$2,821,843 of expenditure contingency and debt service savings to fund salary expenditures due to fewer retirements than anticipated, disability pay, and workers' compensation claims in the Sheriff's Department for Fiscal Year 2010-2011.
(Fiscal Impact.)

04/12/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110229 [Planning Code - Zoning - Treasure Island/Yerba Buena Island - Special Use District]**Sponsor:** Mayor

Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Treasure Island/Yerba Buena Island districts; amending Section 105 relating to height and bulk limits for Treasure Island/Yerba Buena Island; adding Section 249.52 to establish the Treasure Island/Yerba Buena Island Special Use District; adding Section 263.26 to establish the Treasure Island/Yerba Buena Island Height and Bulk District; amending the bulk limits table associated with Section 270 to refer to the Treasure Island/Yerba Buena Island Height and Bulk District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

04/05/11; REFERRED TO DEPARTMENT.

04/12/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions**110438 [Agreement - Administration/Management of Ocean Avenue Community Benefits District]****Sponsor: Avalos**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Ocean Avenue Community Benefits District," pursuant to Section 36651 of the California Streets and Highways Code.

04/12/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110439 [Accept and Expend Grant - U.S. Department of Housing and Urban Development Economic Development Initiative Special Projects - \$750,000]**Sponsors: Mayor; Cohen**

Resolution authorizing the Director of the Mayor's Office of Housing to accept and expend an Economic Development Initiative Special Projects Grant from the U.S. Department of Housing and Urban Development in a total amount of \$750,000 to assist with the redevelopment of the Sunnydale public housing site into a mixed-income community.

04/12/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110440 [Armenian Genocide Commemoration Day - April 24, 2011]**Sponsors: Elsbernd; Chiu**

Resolution declaring April 24, 2011, as Armenian Genocide Commemoration Day in San Francisco.

04/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110441 [Extension of 90 Days for Planning Commission Review - 2301 Market Street]**Sponsor: Wiener**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code by amending Sectional Map HT07 of the Zoning Map of the City and County of San Francisco to: rezone the property located at 2301 Market Street on the corner of Market and Noe Streets from a 50-X height and bulk limit to a 65-X height and bulk limit; making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

04/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110445 [Supporting California Assembly Bill 877 - Non-Felony Vehicle Code Violations]**Sponsor: Mirkarimi**

Resolution supporting Assembly Bill 877, which would remove one of the major barriers to self sufficiency for formerly incarcerated people by increasing their chances of obtaining a drivers license.

04/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

110403 [Committee of the Whole - Redevelopment Right-of-Way Improvements - Arelious Walker Drive Stairway]

Sponsor: Cohen

Motion scheduling the Board to sit as a Committee of the Whole on April 26, 2011, at 3 p.m., to hold a public hearing of the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

04/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110406 [Committee of the Whole - Redevelopment Improvements - Bayview Opera House and Plaza]

Sponsor: Cohen

Motion scheduling the Board to sit as a Committee of the Whole on April 26, 2011, at 3 p.m., to hold a public hearing of the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

04/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearings

110442 [Hearing - Comprehensive Report on Family Violence]

Sponsor: Campos

Hearing to review and discuss the Comprehensive Report on Family Violence in San Francisco 2010.

04/12/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110443 [Hearing - Library Card Partnership]

Sponsor: Cohen

Hearing to review and discuss the student library card program involving a partnership between the San Francisco Unified School District and San Francisco Public Library.

04/12/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110444 [Hearing - Assembly Bill 109 - Criminal Justice Realignment]**Sponsor: Mirkarimi**

Hearing on Assembly Bill 109 regarding the Community Justice Realignment and San Francisco absorbing additional inmates into the County Jails.

04/12/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110404 [Public Hearing - Redevelopment Right-of-Way Improvements - Arelious Walker Drive Stairway]**Sponsor: Cohen**

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

04/12/11; ASSIGNED to Board of Supervisors.

110407 [Public Hearing - Redevelopment Improvements - Bayview Opera House and Plaza]**Sponsor: Cohen**

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

04/12/11; ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCE****110397 [General Plan Amendments - 2009 Housing Element Update]**

Ordinance amending the San Francisco General Plan by adopting the 2009 Housing Element as the Housing Element of the San Francisco General Plan; making findings, including environmental findings and findings of consistency with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

04/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/4/2011.

PROPOSED RESOLUTION

110396 [Airport Lease Agreement - Asiana Airlines, Ltd - Building 648]

Resolution approving and authorizing the execution of Lease No. 11-0049 with Asiana Airlines, Inc., for cargo warehouse and support office space to be occupied by Asiana Airlines, Inc., in Building 648 at the San Francisco International Airport. (Airport Commission)

03/30/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings

847 Haight Street

595 Waller Street

524 Waller, on the side

587 Haight Street

577 Haight Street

575 Haight Street

525 Haight Street

505 Haight Street

420 Haight Street

426 Haight Street

428 Haight Street

478 Haight Street

484 Haight Street

542 Haight Street

546 Haight Street

631A Haight Street

627 Haight Street

632 Haight Street

794 Haight Street

796 Haight Street

798 Haight Street

923 Haight Street

904 Haight Street

940 Haight Street

1051 Haight Street

1530 Haight Street

1515 Haight Street

1555 Haight Street

1557 Haight Street

1597 Haight Street

1325 Haight Street

1463 Haight Street

1391 Haight Street

1369 Haight Street

1371 Haight Street

690 Page Street, on east side

399 Steiner Street, on Page

285 Divisadero Street

297 Divisadero Street, on awning

301 Divisadero Street, on awning

550 Divisadero Street

736 Divisadero Street

838 Divisadero Street

848 Divisadero Street

845 Divisadero Street

Approximately 9 Wilmot

Southeast corner of Buchanan and Haight

Billboards

Southwest corner of Divisadero and Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Northwest and Southwest corners of Fillmore and Post

Southwest corner of Divisadero and Sutter

347 Judah Street

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

Southwest corner of Hayes and Divisadero

Northeast corner of Post and Divisadero

Southwest corner of Geary and Divisadero

Northeast corner of Broderick and Geary

2825 California Street

Southwest corner of Sutter and Bush

Southwest corner of Post and Buchanan

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southwest corner of Steiner and Waller

Northeast corner of Steiner and Haight

Southwest corner of Baker and Haight

1451 Haight Street

Southeast corner of Divisadero and Haight

Southwest corner of Geary and Divisadero

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Northwest corner of Pierce and Haight

Southwest corner of Divisadero and Haight

Southwest corner of McAllister and Divisadero

Southwest corner of California and Divisadero

Southwest corner of Geary and Divisadero

Northeast corner of Broderick and Geary

Southwest corner of Sutter and Bush

SF Weekly

Northeast corner of Post and Buchanan

Southeast corner of Haight and Fillmore

Southwest corner of Divisadero and Haight

Northwest corner of Pierce and Haight

444 Divisadero

Northwest corner of Hayes and Divisadero

838 Divisadero Street

Northeast corner of McAllister and Divisadero

Advertiser

Northeast corner of Ashbury and Haight

Southwest corner of Hayes and Divisadero

Southwest corner of Divisadero and Geary

Northeast corner of Broderick and Geary

Southwest corner of Divisadero and Bush
Northeast corner of Post and Buchanan
Southwest corner of Sutter and Bush
Jobs and Careers
Southwest corner of Hayes and Divisadero
Northwest corner of Post and Buchanan
Open Exchange
Southwest corner of Hayes and Divisadero
803 Divisadero Street
Western Edition HP Journal
Northeast corner of Fulton and Laguna
Northwest corner of Pierce and Haight
Real Estate Times
Southwest corner of Bush and Divisadero

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northwest corner of Divisadero and Haight
Northwest corner of Ashbury and Haight
1298 Haight Street
Southeast corner of Masonic and Haight
Southeast corner of Lyon and Haight
Southwest corner of Baker and Haight
Southeast corner of Divisadero and Haight
Southeast corner of Oak and Divisadero
Northwest corner of Hayes and Divisadero
Northeast corner of Golden Gate and Divisadero
Approximately 1980 Divisadero Street
Southwest corner of California and Divisadero
Mailboxes
2299 Post Street
Northeast corner of Divisadero and Haight
1401 Haight Street
Southwest corner of Oak and Divisadero
Northeast corner of McAllister and Divisadero
Northwest corner of Geary and Divisadero
Southeast corner of Broderick and California
Northeast corner of Fell and Buchanan
Public Benches
Beiderman and O'Farrell Mini-Park
Street Walls and Overpasses
Opposite of 553 Linden
Fire Hydrants
Northeast corner of Pierce and Haight
Northeast corner of Webster and Waller
Southeast corner of Page and Divisadero
Southeast corner of Baker and Divisadero
Curbstones
Southeast corner of McAllister and Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of

removing graffiti from the following public property locations:

Utility Boxes

Northeast corner of Post and Broderick
Northeast corner of Waller and Pierce
Southwest corner of Turk and Laguna
Southeast corner of Fell and Buchanan
Northwest corner of Ashbury and Haight

Bus Shelters

Northwest corner of Divisadero and Haight
1080 Haight Street
Southeast corner of Divisadero and Haight
Southwest corner of Geary and Divisadero

Parking Meters

529 Haight Street
432 Haight Street
454-66 Haight Street
1519 Haight Street
837 Divisadero Street
Parking and Traffic Signs

518 Waller Street
904 Haight Street
399 Steiner Street
940 Page Street
2396 Pine Street
Approximately 1260 Divisadero Street
1310 Divisadero Street
Northeast corner of Pine and Broderick
1015 Laguna Street
485 Oak Street

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from poles at the following locations:

Metal Poles

1035 Haight Street
1059 Haight Street
110 Webster Street
1126 Haight Street
1234 Divisadero Street
1292 Haight Street
1364 Haight Street
1369 Haight Street
1391 Haight Street
1426 Haight Street
1444 Haight Street
1475 Haight Street
1750 Divisadero Street
2374 Pine Street
2716 Pine Street
2729 Pine Street
2793 Pine Street
2801 Pine Street
2814 Pine Street
2817 Pine Street

2852 Pine Street
528 Waller Street
532 Waller Street
655 Divisadero Street
707 Haight Street
847 Haight Street
875 Haight Street
902 Haight Street
908 Page Street
930 Haight Street
936 Page Street
937 Haight Street
962 Haight Street
973 Haight Street
Approximately 1004 Haight Street
Approximately 1115 Haight Street
Approximately 1145 Haight Street
Approximately 1167 Haight Street
Approximately 1201 Haight Street
Approximately 1211 Haight Street
Approximately 1251 Haight Street
Approximately 1280 Divisadero Street
Approximately 1580 Divisadero Street
Approximately 2105 O'Farrell
Approximately 3 Wilmot Street
Approximately 35 Inca Lane, within Rosa Parks Elementary playground
Approximately 780 Laguna Street
Approximately 96 Wilmot Street
Northeast corner of Fulton and Laguna
Southeast corner of Buchanan and Fell
Southeast corner of California and Divisadero

In Memoriams

William J. "Bill" Lowenberg—Supervisors Mirkarimi and Wiener
Andy Zeng – President Chiu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:05 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 17, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Friday, April 15, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Meeting

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN
ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

Rules Committee

Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday

1:00 PM

Wednesday

10:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 17

Members Present: David Campos, David Chiu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll, Supervisors Avalos and Chu were noted absent. There was a quorum.

Supervisors Avalos and Chu Excused from Voting

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that Supervisors Avalos and Chu be excused from voting. The motion carried by the following vote:

Ayes: 9 - Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 2 - Avalos, Chu

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

REGULAR AGENDA

Recommendation of the Rules Committee

Supervisor Mirkarimi Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Kim, moved that Supervisor Mirkarimi be excused from voting on File No. 110391. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Excused: 3 - Avalos, Chu, Mirkarimi

110391 [Nomination, California Coastal Commission - Supervisor Ross Mirkarimi]

Motion nominating Supervisor Ross Mirkarimi for the North Coast Central seat on the California Coastal Commission. (Clerk of the Board)

Motion No. M11-55

APPROVED by the following vote:

Ayes: 8 - Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Excused: 3 - Avalos, Chu, Mirkarimi

PUBLIC COMMENT

There were no speakers.

Supervisor Avalos was noted present at 2:04 p.m.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:05 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 24, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 19, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
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DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN
ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee
Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee
Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee
Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee
Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Mirkarimi, Cohen, Campos

Rules Committee
Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
10:00 AM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 18

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 15, 2011, and Special Board Meeting Minutes of March 15, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

110223 [Public Works Code - Waiver of Street Encroachment Permit Fees - Stairway Improvements on 48th Avenue at Balboa Street]

Sponsor: Mar

Ordinance waiving the Street Encroachment Permit Fees in Public Works Code Section 2.1.1 and Public Works Code Sections 786 et seq. for stairway improvements on the unaccepted stairway located on the western side of 48th Avenue between Balboa and Anza Streets.

Ordinance No. 69-11

FINALLY PASSED

110349 [Accept and Expend Grant - Office of Financial Empowerment Direct Deposit Program - Citywide Electronic Pay and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$240,000]**Sponsor: Campos**

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of \$240,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Direct Deposit Program, and amending Ordinance 191-10 (Annual Salary Ordinance, FY2010-2011) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

Ordinance No. 71-11**FINALLY PASSED****Recommendations of the City Operations and Neighborhood Services Committee****110913 [Liquor License - 620 Treat Avenue]**

Resolution determining that the issuance of a Type 75 on-sale general brew-pub liquor license to Anthony LaVia for Southern Pacific Brewing, LLC, located at 620 Treat Avenue (District 9), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)

Resolution No. 169-11**ADOPTED****110160 [Accept and Expend Grant - Arelious Walker Drive Stairway Improvement Project - \$1,109,000]****Sponsor: Cohen**

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$1,109,000 from the Metropolitan Transportation Commission for the Arelious Walker Drive Stairway Improvement Project.

Resolution No. 170-11**ADOPTED****110177 [Liquor License Transfer - 803-805 Howard Street]**

Resolution determining that the transfer of a Type 21 off-sale general license from 220 4th Street to 803-805 Howard Street (District 6) to Anuar I. Abuarafteh for A-Z Market, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)

Resolution No. 171-11**ADOPTED**

110178 [Liquor License - 863 Mission Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jeremy Ogor for Artist Ally, dba Bar Madira, located at 863 Mission Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)

Resolution No. 172-11

ADOPTED

110338 [Accept and Expend Grant - Palace of Fine Arts Parking Mitigation Project - Not to Exceed \$1,000,000]

Sponsor: Farrell

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a grant administered by the San Francisco County Transportation Authority in the amount not to exceed \$1,000,000 for the Palace of Fine Arts Parking Mitigation Project.

Resolution No. 174-11

ADOPTED

Recommendations of the Land Use and Economic Development Committee**110147 [General Plan Amendment - Mission District Streetscape Plan]**

Ordinance amending the San Francisco General Plan by amending Policy 5.3.7 of the Mission Area Plan to reflect the adoption of the Mission District Streetscape Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Ordinance No. 67-11

FINALLY PASSED

110247 [Acceptance of Easement - Stanislaus County - San Joaquin Pipeline System Project]

Resolution approving and authorizing an acceptance of an Easement Deed for a perpetual exclusive easement for the installation, construction, operation, inspection, maintenance, repair, and replacement of water pipelines, utilities and related appurtenances in the real property, being a portion of River Road, located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)

Resolution No. 173-11

ADOPTED

Recommendations of the Rules Committee**110382 [Appointments - Urban Forestry Council - J. Malcolm Hillan and Megan Sutherland]**

Motion appointing J. Malcolm Hillan and Megan Sutherland, to the Urban Forestry Council, terms ending November 18, 2012. (Clerk of the Board)

J. Malcolm Hillan, seat 1, succeeding himself, term expired, must represent an educational organization involved with tree management (University of California Cooperative Extension, etc.) for the unexpired portion of a two-year term ending November 18, 2012.

Megan Sutherland, seat 3, succeeding Jocelyn Cohen, resigned, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects,) for the unexpired portion of a two-year term ending November 18, 2012.

Motion No. M11-56

APPROVED

110389 [Appointments, In-Home Supportive Services Public Authority - Mike Boyd and Alice Wong]

Motion appointing Mike Boyd and Alice Wong, to the In-Home Supportive Services Public Authority, terms ending March 1, 2014. (Clerk of the Board)

Mike Boyd, seat 1, succeeding himself, term expired, must be a consumer over the age of 55 years, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2014.

Alice Wong, seat 13, succeeding herself, term expired, must be a consumer at-large who is 18 years of age or older, for the unexpired portion of a three-year term ending March 1, 2014.

Motion No. M11-57

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

110155 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]

Sponsors: Mayor; Kim, Chiu, Farrell, Cohen, Wiener and Chu

Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the City Administrator. (Fiscal Impact; Economic Impact.)

Ordinance No. 68-11

FINALLY PASSED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 3 - Avalos, Campos, Mirkarimi

From the Budget and Finance Committee Without Recommendation

110225 [Park Code - Botanical Garden Non-Resident Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46 to: 1) extend admission fees to the Botanical Garden for non-San Francisco residents until September 30, 2013; and 2) eliminate the provision cancelling this admission fee if the Recreation and Park Department receives revenue from a new tax that can be used for Botanical Garden operating and maintenance costs, and make environmental findings. (Fiscal Impact.)

Ordinance No. 70-11

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

NEW BUSINESS

Recommendation of the Land Use and Economic Development Committee

110153 [Administrative Code - Residential Rent Ordinance - Temporary Good Samaritan Occupancy/Reduced Rent After Emergency Tenant Dislocation, Just Cause Eviction or Higher Rent at End of Period]

Sponsors: Wiener; Farrell and Chiu

Ordinance amending Administrative Code Chapter 37 Residential Rent Arbitration and Stabilization Ordinance, by amending Sections 37.2(a) and 37.9 to provide for temporary Good Samaritan occupancy with reduced rent rate and, upon expiration of the temporary Good Samaritan Status, to provide that the landlord may either evict the tenant for just cause or increase the rent to a previously agreed base rent rate; Section 37.2 by adding Subsection 37.2(a)(1)(D) to permit creation of temporary Good Samaritan Status when a landlord and new tenant agree in writing for the tenant to commence occupancy following an emergency such as fire, earthquake, landslide or similar emergency situation that required unexpected vacation of the tenant's previous unit, and the agreement includes a reduced rent rate for a specified period of time up to twelve (12) months, which may be extended for a combined total of no more than twenty-four (24) months; Good Samaritan Status may be utilized only upon written certification by a specified City Official, that identifies the emergency and the resulting unit vacation on grounds of public health, safety, and habitability; and Section 37.9 by adding Subsection 37.9(a)(16) to permit eviction for just cause upon expiration of the Original Good Samaritan Status period plus any Extended Good Samaritan Status Period.

Supervisor Chiu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Mar was noted absent for the remainder of the meeting.

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Cohen, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener

Absent: 1 - Mar

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Mia Too Much in recognition of her accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.**110373 [Public Hearing - Conditional Use Appeal - 1268 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's February 17, 2011, Conditional Use Authorization identified as Planning Case No. 2009.1029C, by its Motion No. 18279, under Planning Code Sections 209.1 and 303 to allow new construction of four dwelling units at a density ratio up to one dwelling unit for each 1,000 square feet of lot area in the RH-3 (Residential, House, Three-Family) District and the 40-X Height and Bulk District, on property located at 1268 Lombard Street, Lot No. 015 in Assessor's Block No. 0500. (District 2) (Appellant: Marvin Frankel, on behalf of the Russian Hill Neighbors) (Filed March 21, 2011; Companion Measure to File Nos. 110374, 110375, and 110376.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to May 3, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener

Absent: 1 - Mar

The President CONTINUED the Hearing open to May 3, 2011.

110374 [Approving Planning Commission Decision Related to Conditional Use Application - 1268 Lombard Street]

Motion approving decision of the Planning Commission by its Motion No. 18279, approving Conditional Use Application No. 2009.1029C on property located at 1268 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 3, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener

Absent: 1 - Mar

110375 [Disapproving Planning Commission Decision Related to Conditional Use Application - 1268 Lombard Street]

Motion disapproving decision of the Planning Commission by its Motion No. 18279, approving Conditional Use Application No. 2009.1029C on property located at 1268 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 3, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener

Absent: 1 - Mar

110376 [Preparation of Findings Related to the Conditional Use Application - 1268 Lombard Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.1029C on property located at 1268 Lombard Street.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 3, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener

Absent: 1 - Mar

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; expressed various concerns.

Eugene Gordon, Jr.; expressed various concerns.

Dale Seymour; expressed concerns relating to City's infrastructure.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110440 [Armenian Genocide Commemoration Day - April 24, 2011]**

Sponsors: Elsbernd; Chiu

Resolution declaring April 24, 2011, as Armenian Genocide Commemoration Day in San Francisco.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 175-11

ADOPTED

110441 [Extension of 90 Days for Planning Commission Review - 2301 Market Street]

Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code by amending Sectional Map HT07 of the Zoning Map of the City and County of San Francisco to: rezone the property located at 2301 Market Street on the corner of Market and Noe Streets from a 50-X height and bulk limit to a 65-X height and bulk limit; making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 176-11

ADOPTED

110445 [Supporting California Assembly Bill 877 - Non-Felony Vehicle Code Violations]**Sponsor: Mirkarimi**

Resolution supporting Assembly Bill 877, which would remove one of the major barriers to self sufficiency for formerly incarcerated people by increasing their chances of obtaining a drivers license.

Resolution No. 177-11**ADOPTED****110403 [Committee of the Whole - Redevelopment Right-of-Way Improvements - Arelious Walker Drive Stairway]****Sponsor: Cohen**

Motion scheduling the Board to sit as a Committee of the Whole on April 26, 2011, at 3 p.m., to hold a public hearing of the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

Motion No. M11-58**APPROVED****110406 [Committee of the Whole - Redevelopment Improvements - Bayview Opera House and Plaza]****Sponsor: Cohen**

Motion scheduling the Board to sit as a Committee of the Whole on April 26, 2011, at 3 p.m., to hold a public hearing of the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

Motion No. M11-59**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110462 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]

Sponsor: Farrell

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation and amending Section 902.1 to remove stock options from the definition of Payroll Expense.

04/19/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2011.

110463 [Memorandum of Understanding - Committee of Interns and Residents]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents effective July 1, 2011, through June 30, 2014.

04/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

110464 [Construction Management Services Agreement Amendment - Laguna Honda Hospital Replacement Program - \$16,196,764]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the Construction Management Services Agreement with Cooper Pugeda Management, Inc., for the Laguna Honda Hospital Replacement Program changing the amount from \$15,303,429 to \$16,196,764. (Fiscal Impact.)

04/19/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110465 [U.S. Department of Housing and Urban Development Community Development Block Grant, Emergency Shelter Grant, and HOME Investment Partnerships Grant Applications for 2011-2012]

Sponsor: Mayor

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for the 2011-2012 entitlement allocations for the Community Development Block Grant, Emergency Shelter Grant, and HOME Investment Partnerships Program from the U.S. Department of Housing and Urban Development.

04/19/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110466 [Supporting the Creation of the Health Information Exchange]**Sponsors: Chiu; Campos**

Resolution supporting the creation of the Health Information Exchange in the City and County of San Francisco.

04/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110467 [Accept and Expend Grant - Jefferson Street Redesign - \$65,000]**Sponsor: Chiu**

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of \$65,000 from the Association of Bay Area Governments for the period April 1, 2011, through January 1, 2012, in order to complete 30% design documents for the redesign of Jefferson Street from Powell Street to Hyde Street.

04/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110468 [Supporting SB 729 - California Homeowner Protection Act]**Sponsors: Mirkarimi; Cohen and Campos**

Resolution supporting Senate Bill 729, "The California Homeowner Protection Act."

04/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110469 [Building Safety Month - May 2011]**Sponsor: Wiener**

Resolution proclaiming May 2011 as "Building Safety Month" in the City and County of San Francisco.

04/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**110470 [Hearing - MTA Climate Action Plan]****Sponsor: Chiu**

Hearing on the Municipal Transportation Agency's Climate Action Plan mandated by the Charter.

04/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110471 [Hearing - SFUSD Budget Update for FY2011-2012]**Sponsor: Cohen**

Hearing on the proposed FY2011-2012 budget for the San Francisco Unified School District.

04/19/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110472 [Hearing - Housing on Transbay Terminal]**Sponsor: Kim**

Hearing on the protocol and procedure to assist in housing for the homeless in the Transbay Terminal presented by the Human Service Agency.

04/19/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTION

110424 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

04/07/11; ASSIGNED to Board of Supervisors.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

600 Divisadero

616 Divisadero

542 Haight

418 Haight

400 Duboce

546 Haight

902 Divisadero

507 Divisadero

333 Haight

295 Buchanan

587 Haight

399 Haight, on the Webster side

799 Haight

798 Haight

860 McAllister

746 Divisadero

55 Laguna, on Haight & Buchanan side

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southwest corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irvine and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Northeast corner of Waller and Fillmore

Southeast corner of Page and Fillmore

Southwest corner of McAllister and Baker

Northeast corner of Hayes and Fillmore

Southeast corner of McAllister and Buchanan

Mailboxes

Northeast corner of Buchanan and Fell

Northeast corner of Haight and Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southeast corner of Buchanan and Fell

Northeast corner of Lindell and Buchanan

Southwest corner of Arguello and Hugo

Bus Shelters

Southwest corner of Buchanan and Haight

Southeast corner of Buchanan and Hayes

Northeast corner of Divisadero and McAllister

Northeast corner of Hayes and Fillmore

Southwest corner of Haight and Pierce

Northwest corner of McAllister and Fillmore

Fillmore and Haight (all 4 bus stops along with canopies have graffiti and grime)

Fire Hydrant

Northeast corner of Broderick and Fulton

Southeast corner of Scott and Oak

Emergency Boxes

Southeast corner of Medical entry way and Parnassus

Northeast corner of Fillmore and McAllister

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Southwest corner of Haight and Buchanan

In front of 252 Fillmore

*In front of 242 Fillmore
In front of 1057 Cole*

*Wood Pole
Southwest corner of Webster and Page
In front of 700 Fillmore
In front of 340 Hayes*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of
repairing potholes at the following locations:*

*Potholes, Lights and Sidewalk issues
Western crosswalk at Grattan and Shrader
Intersection of Willard and Parnassus
Intersection of Fulton and Broderick*

In Memoriams

*Eli Golvin-Klein – Pres. David Chiu and Supervisors Eric Mar and Scott Wiener
Thomas C. Holleran – Supervisor Campos
Melanio Duarte – Supervisor John Avalos
Ann M. Merrill – Supervisors Mark Farrell and Sean Elsbernd
Joe D. Johnson – Supervisor Malia Cohen
Elliott Wayne Davis – Supervisor Malia Cohen
Martha Louise Coffey – Supervisor Malia Cohen
Richard Tuck – Supervisor Carmen Chu*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:04 p.m.

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the
matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

Approved by the Board of Supervisors on May 24, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 26, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

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3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 18

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of March 22, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

110409 [Accept and Expend Grant - GreenFinanceSF - \$372,600]

Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$372,600 from the California Energy Commission's State Energy Program through Ecology Action to support GreenFinanceSF.

Resolution No. 181-11

ADOPTED

110153 [Administrative Code - Residential Rent Ordinance - Temporary Good Samaritan Occupancy/Reduced Rent After Emergency Tenant Dislocation, Just Cause Eviction or Higher Rent at End of Period]**Sponsors: Wiener; Farrell and Chiu**

Ordinance amending Administrative Code Chapter 37 Residential Rent Arbitration and Stabilization Ordinance, by amending Sections 37.2(a) and 37.9 to provide for temporary Good Samaritan occupancy with reduced rent rate and, upon expiration of the temporary Good Samaritan Status, to provide that the landlord may either evict the tenant for just cause or increase the rent to a previously agreed base rent rate; Section 37.2 by adding Subsection 37.2(a)(1)(D) to permit creation of temporary Good Samaritan Status when a landlord and new tenant agree in writing for the tenant to commence occupancy following an emergency such as fire, earthquake, landslide or similar emergency situation that required unexpected vacation of the tenant's previous unit, and the agreement includes a reduced rent rate for a specified period of time up to twelve (12) months, which may be extended for a combined total of no more than twenty-four (24) months; Good Samaritan Status may be utilized only upon written certification by a specified City Official, that identifies the emergency and the resulting unit vacation on grounds of public health, safety, and habitability; and Section 37.9 by adding Subsection 37.9(a)(16) to permit eviction for just cause upon expiration of the Original Good Samaritan Status period plus any Extended Good Samaritan Status Period.

Ordinance No. 72-11**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Land Use and Economic Development Committee****110410 [Opposing the Golden Gate National Recreation Area's Currently Proposed Draft Off-Leash Policy and Supporting the On-Going Dialogue between GGNRA and San Francisco]****Sponsors: Wiener; Avalos**

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's preferred alternatives for dog management.

Supervisor Avalos requested to be added as a co-sponsor.

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's currently proposed preferred alternatives for dog management and supporting the on-going dialogue between GGNRA and San Francisco to achieve an improved plan.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:

Ayes: 2 - Elsbernd, Mirkarimi

Noes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener

Supervisor Chu moved to divide the question located on Page 3, Lines 24 and 25, through Page 4, Lines 1 through 10.

The question PASSED as divided by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 183-11

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

NEW BUSINESS

Recommendation of the Budget and Finance Sub-Committee

110339 [Lease Renewal - 1449 Webster Street]

Sponsor: Mirkarimi

Resolution authorizing the exercise of an option to extend the lease of 3,900 sq. ft. at 1449 Webster Street for three years for the Office of Economic and Workforce Development Employment Assistance Programs.

Resolution No. 178-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee**110222 [Public Works Code - Declaring Illegal Dumping on Public Property a Nuisance, and Providing a Mechanism for Abating and Enforcing that Nuisance]****Sponsors: Cohen; Chu, Avalos, Campos and Mar**

Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1505 to: 1) declare the illegal dumping of debris and waste construction materials or industrial materials, or of more than 100 pounds of any other waste, refuse, or debris, on public property to be a public nuisance; 2) authorize enforcement by the City Attorney in a civil action; and 3) permit the City and County of San Francisco to collect civil penalties, costs of abatement, investigation, and attorneys' fees against the individuals or entities responsible for the dumping, and making environmental findings.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisors Chu, Avalos, Campos, and Mar requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110280 [Public Works Code, Police Code - Posting of Signs on City Property, Increasing Penalty, and Enforcement]**Sponsors: Mirkarimi; Wiener and Mar**

Ordinance amending the San Francisco Public Works Code by amending Sections 184.62, 184.63, and 184.65 thereof, to: 1) increase the minimum criminal penalty for violations of Article 5.6 of the Public Works Code from \$50 to \$100; 2) amend the procedures for administrative enforcement of Article 5.6 of the Public Works Code and specify the amounts of administrative penalties; 3) provide that in any civil action or administrative proceeding to enforce Article 5.6 the City shall have the burden of proof; 4) provide that where an unlawfully posted sign proposes a commercial transaction, the fact that the sign identifies a person or entity may give rise to an inference that person or entity posted or caused the posting of the sign; and 5) amending the Police Code by amending Section 39-1 thereof, to provide that that Section shall not apply to administrative citations issued under Public Works Code Section 184.63.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****110404 [Public Hearing - Redevelopment Right-of-Way Improvements - Arelious Walker Drive Stairway]****Sponsor: Cohen**

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110405. Lila Hussain (Redevelopment) provided an overview of the improvements. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING**Committee of the Whole Adjourn and Report****110405 [Arelious Walker Drive Stairway Improvements]****Sponsor: Cohen**

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

Resolution No. 179-11**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****110407 [Public Hearing - Redevelopment Improvements - Bayview Opera House and Plaza]****Sponsor: Cohen**

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110408. Vanessa Dandridge (Redevelopment) and Judy Nezcovf (Arts Commission) provided an overview of the improvements. Ace Washington; Barbara Ockel; spoke in support of the improvements. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report**110408 [Redevelopment Improvements to the Bayview Opera House and Plaza]****Sponsor: Cohen**

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

Resolution No. 182-11**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the Members of the Community Board in recognition of their 35th anniversary, accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

110344 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - AT&T Network "Lightspeed" Upgrade]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 22, 2011, Case No. 2010.0944E, that a project located on La Playa Street between Cabrillo and Fulton Streets, is exempt from environmental review under Categorical Exemption, Class 3 (State CEQA Guidelines Section 1503). The proposed project involves placing additional fiber through AT&T's existing copper conduit currently used for telephone lines, and the installation of metal, either tan or light green, 51.7-inches-wide by 26-inches-deep by 48-inches-high communications cabinets in the public right-of-way to house the Lightspeed electronics. (Appellant: Milo Hanke, on behalf of San Francisco Beautiful and the Planning Association for the Richmond)

(Filed March 14, 2011; Companion Measure to File Nos. 110345, 110346, and 110347.)

The President inquired as to whether any member of the public wished to address the Board. Raymond Holland and Susan Brandt-Hawley (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Curt Holzinger; Milo Hanke; Lawrence Rosenfeld; Peter Fortune; Jane Winslow; Jan Blum; Merle Goldstone; Linda Chapman; Rudy Rucker; Dana Sniezko; Eric Honda; Karen Crommie; Gary Weiss; Judith Hoyam; David Troup; David Pilpel; David Crommie; Jake McGoldrick; spoke in support of the appeal. Lisa Gibson (Planning Department) provided an overview of the project and the decision of the Planning Department. John Kwong (Department of Public Works); John Malamut (City Attorney's Office); Cheryl Adams (City Attorney's Office) responded to questions raised throughout the discussion. Ken McNeely, Mark Blake, and Amanda Monchamp (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Matt Regan; Tony Harris; Neil Bardack; Jeff Mondon; Ashley Cheng; Male Speaker; Female Speaker; Robert Longer; Roland Anderson; Male Speaker; Calvin Chan; Anthony Brewster; Brian Webster; Female Speaker; Erik Butler; Rodney Hampton Jr.; Cardell Coleman Sr.; Latasha Beasley; Female Speaker; Female Speaker; Constance Harris; Sharika Loreay; Dennis Tam; Susan Finnegan; Female Speaker; Niema Hawkins; Michael Colaneri; Mary; Eric Batongbacal; Terri Knight; spoke in support of the project and in opposition to the appeal. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

- 110345 [Affirming the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**
Motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

- 110346 [Reversing the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**
Motion reversing the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

- 110347 [Preparation of Findings to Reverse the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisor Campos Excused from Voting

Supervisor Farrell, seconded by Supervisor Kim, moved that Supervisor Campos be excused from voting on File No. 110276. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110276 [Appointment, Metropolitan Transportation Commission - Supervisor David Campos]

Motion appointing Supervisor David Campos, term ending February 10, 2015, to the Metropolitan Transportation Commission. (Clerk of the Board)

Motion No. M11-60

APPROVED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110394 [Confirming Reappointment, Municipal Transportation Agency Board of Directors - Jerry Lee]

Sponsor: Mayor

Motion confirming the reappointment of Jerry Lee, term ending March 1, 2015, to the Municipal Transportation Agency Board of Directors.

Motion No. M11-61

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the City Operations and Neighborhood Services Committee**110434 [Public Works Code - Waiver of Certain Temporary Street Space Occupancy Fees]**

Sponsor: Avalos

Ordinance waiving the San Francisco Public Works Code Section 724.1(b), which imposes temporary street space occupancy fees, on Saturday, May 7, 2011, and Saturday, May 21, 2011, for certain streets in San Francisco, as part of Small Business Week Sidewalk Sales.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Male Speaker; expressed various religious concerns.

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; expressed concerns relating to EIR and timeframes.

Ace Washington; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110466 [Supporting the Creation of the Health Information Exchange]****Sponsors: Chiu; Campos**

Resolution supporting the creation of the Health Information Exchange in the City and County of San Francisco.

*Supervisor Campos requested to be added as a co-sponsor.***Resolution No. 184-11****ADOPTED****110467 [Accept and Expend Grant - Jefferson Street Redesign - \$65,000]****Sponsor: Chiu**

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of \$65,000 from the Association of Bay Area Governments for the period April 1, 2011, through January 1, 2012, in order to complete 30% design documents for the redesign of Jefferson Street from Powell Street to Hyde Street.

Resolution No. 180-11**ADOPTED****110469 [Building Safety Month - May 2011]****Sponsor: Wiener**

Resolution proclaiming May 2011 as "Building Safety Month" in the City and County of San Francisco.

Resolution No. 185-11**ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 110468 be severed so that it may be considered separately.

110468 [Supporting SB 729 - California Homeowner Protection Act]

Sponsors: Mirkarimi; Cohen and Campos

Resolution supporting Senate Bill 729, "The California Homeowner Protection Act."

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to May 2, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED to May 3, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****110501 [Park Code - Japanese Tea Garden Fees]**

Sponsor: Avalos

Ordinance amending the San Francisco Park Code, Article 12, Section 12.05, to eliminate the admission fees for San Francisco residents at the Japanese Tea Garden and making environmental findings.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110502 [Administrative Code - Timeline for Capital Expenditure Plan]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Sections 3.20 and 3.21, to provide that the ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors on a biennial basis and that the Mayor and the Board of Supervisors shall review, update, amend, and adopt such plan by resolution on a biennial basis.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110503 [Administrative Code - Regulating Overtime Available for City Employees]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Section 18.13.1, to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and requiring monthly written reports regarding critical staffing shortages.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110506 [Planning Code, Police Code, Business and Tax Regulations Code - Limited Live Performance Permits]**Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.18, 1060.19, 1060.20.4, 1060.24, and 1060.35 of the San Francisco Police Code; adding Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1 to the Police Code; amending Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37 of the San Francisco Planning Code; and amending Section 8 of the San Francisco Business and Tax Regulations Code, to create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; specifying application and license fees and hearing requirements for said permit; and making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

04/26/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/26/2011. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission and Youth Commission for review and recommendation; and Entertainment Commission and Police Department for information.

110507 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2010-2011 - \$29,494,813]**Sponsor: Mayor**

Ordinance appropriating \$31,055,000, including \$8,104,000 of General Fund Reserve, \$14,851,000 of surplus Laguna Honda Hospital revenues, \$1,925,000 of Surplus San Francisco General Hospital revenues, de-appropriating \$6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including \$20,334,000 at San Francisco General Hospital and \$10,721,000 at Laguna Honda Hospital for FY2010-2011.

(Fiscal Impact.)

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110023 [Campaign and Governmental Conduct Code - Allowing a Former Appointed Mayor to Obtain City Employment]**Sponsors: Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.

01/11/11; RECEIVED AND ASSIGNED to Rules Committee.

04/26/11; SUBSTITUTED AND ASSIGNED to Rules Committee.

110336 [Appropriating General Fund for Loans Supporting Women's and LGBT Health Services in FY2010-2011 - \$150,000]**Sponsors: Mirkarimi; Campos and Wiener**

Ordinance appropriating \$150,000 from General Fund Reserve to the Department of Public Health for loans to support Women's and LGBT Health Services in FY2010-2011.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

110462 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]**Sponsor: Farrell**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation and amending Section 902.1 to exclude stock options from the definition of Payroll Expense. (Fiscal Impact.)

04/19/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2011.

04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

Resolutions**110508 [Accept and Expend Grant - Homeland Security Grant Program - \$2,094,667]****Sponsor: Chiu**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a Homeland Security Grant Program Grant in the amount of \$2,094,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, for disaster planning.

04/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110509 [Accept and Expend Grant - Medical Examiner Accreditation Support - \$116,589]**Sponsor: Chu**

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$116,589 from the Paul Coverdell Forensic Science Improvement Grants Program of the California Emergency Management Association for accreditation support.

04/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110512 [Purchase and Sale Agreement - Redevelopment Agency for the Revitalization of the Alice Griffith Public Housing Site - East Side of Arelious Walker Drive at Gilman Avenue]**Sponsor: Cohen**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to sell land on the east side of Arelious Walker Drive, at Gilman Avenue, adjacent to the Alice Griffith Public Housing Site, Assessor's Block No. 4884, Lot No. 27, to McCormack Baron Salazar, Inc., a Missouri corporation, for the sole purpose of performing predevelopment and development work at the property for the revitalization of the Alice Griffith Public Housing Site, a HOPE SF development program that will provide one-for-one replacement of all Alice Griffith public housing units within a larger mixed-income community.

04/26/11; ASSIGNED to Board of Supervisors.

110513 [Ground Lease - Redevelopment Agency - Carroll Street Senior Community - 5800 Third Street]**Sponsor: Cohen**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 5800 Third Street, Lot No. 3, northwest corner of the larger 5800 Third Street site, Assessor's Block No. 5431A, Lot No. 042 with Bayview Supportive Housing, LLC, a California limited liability company, for a term of 55 years for the purpose of developing housing for very low-income senior households.

04/26/11; ASSIGNED to Board of Supervisors.

110516 [Ground Lease - Redevelopment Agency Land - 1075 LeConte Avenue, Commonly Known as 6600 Third Street]**Sponsor: Cohen**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1075 Le Conte Avenue, Assessor's Block No. 009, Lot No. 5476, commonly known as 6600 Third Street with Third and LeConte Associates, LP, a California limited partnership, for a term of 70 years for the purpose of developing housing for formerly homeless individuals and families.

04/26/11; ASSIGNED to Board of Supervisors.

110517 [Treasure Island Transportation Implementation Plan]**Sponsor: Mayor**

Resolution approving the Treasure Island Transportation Implementation Plan.

04/26/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110518 [Accept and Expend Grant - Cesar Chavez Sewer System Improvement - \$669,000]**Sponsor: Cohen**

Resolution authorizing the Public Utilities Commission to accept and expend a grant administered by the U.S. Environmental Protection Agency in the amount of \$669,000 for the Cesar Chavez Sewer System Improvement Project.

04/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110519 [Accept and Expend Grant - Brown Grease Recovery and Biofuel Demonstration Project - \$951,500]**Sponsor: Mar**

Resolution authorizing the Public Utilities Commission to retroactively accept and expend a grant administered by the U.S. Department of Energy in the amount of \$951,500 to conduct a brown grease recovery and biofuel demonstration project.

04/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110520 [Accept and Expend Grant - Electric Vehicle Infrastructure - \$100,000]**Sponsors: Mayor; Mar**

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant of \$100,000 from the Bay Area Air Quality Management District to contribute to the cost of installing 60 publicly available electric vehicle chargers.

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110521 [Perinatal Depression Awareness Month - May]**Sponsor: Chu**

Resolution declaring every May as Perinatal Depression Awareness Month in the City and County of San Francisco and encouraging improvements in the screening and treatment of perinatal depression.

04/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

110522 [Closed Session - Parkmerced Development Project]**Sponsor: Elsbernd**

Motion that Board of Supervisors convene in closed session on May 3, 2011, with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding threatened litigation, potentially arising out of the proposed Parkmerced Development Project, where City may be either defendant or plaintiff in at least one case in either instance.

This closed session is permitted by Government Code Section 54956.9(b), and Administrative Code Section 67.10(d)(2).

04/26/11; RECEIVED AND ASSIGNED to Board of Supervisors.

110523 [Adding Board Rule 5.9 to Create a Joint City and City College of San Francisco Select Committee]**Sponsor: Mirkarimi**

Motion amending the Rules of Order of the Board of Supervisors to add Rule 5.9, which creates a Joint City and City College of San Francisco Select Committee.

04/26/11; RECEIVED AND ASSIGNED to Rules Committee.

110422 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 10, 2011, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**110504 [Hearing - Relocation for Board Meetings and Legislative Chamber Connectivity]**

Hearing to determine relocation of the Board of Supervisors meetings during the Legislative Chamber modification and the Chamber computer connectivity for Board Members. (Clerk of the Board)

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110524 [Hearing - Performance Audit of Advertising Policies]

Sponsor: Campos

Hearing on the Performance Audit of the City's advertising policies and practices conducted by the Budget and Legislative Analyst.

04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110525 [Hearing - Crisis of Wage Theft]

Sponsors: Campos; Mar

Hearing on how the City and County of San Francisco is working to address the crisis of wage theft.

04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110526 [Hearing - Audit Work Plan for 2011]

Sponsor: Campos

Hearing on the Budget and Legislative Analyst's Audit Work Plan for 2011.

04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110527 [Hearing - A-G Course Requirements for High Schools]

Sponsor: Chu

Hearing on the implementaion of A-G course requirements in San Francisco Unified School District high schools.

04/26/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCE****110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]**

Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate of Xiu Fang Huang against the City and County of San Francisco for \$1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney)

04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**110478 [Approval of Expenditure Plan for the Human Services Care Fund for FY2011-2012]**
Resolution approving the FY2011-2012 Expenditure Plan for the Human Services Care Fund.
(Human Services Department)

04/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110479 [Approval of Modification No. 1 of Lease and Use Agreement - Emirates at San Francisco International Airport]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0084 with Emirates for lounge space in the International Terminal, Boarding Area A, of San Francisco International Airport. (Airport Commission)

04/11/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110480 [Settlement of Unlitigated Claim - Alain Jimenez - \$105,000]

Resolution approving the settlement of the unlitigated claim filed by Alain Jimenez against the City and County of San Francisco for \$105,000; claim was filed on June 11, 2010. (City Attorney)

04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Chiu

To: Director, Department of Technology

To: Director, Planning Department

Requesting/Inquiring: Requesting the Department of Technology and the Planning Department to provide analysis of possible revenue from leasing radio towers, siren poles and other City and County sites to private telecommunications carriers.

From: Supervisor Chiu

To: Director, Department of Technology

Requesting/Inquiring: Requesting the Department of Technology to provide analysis of possible revenue from leasing unused City and County fiber-optic network capacity.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Potholes

1639 Fulton

Northern crosswalk at intersection of Masonic and Fulton

1704 Broderick

1742 Broderick

1760 Broderick

Northbound 1200 and 1300 blocks of 19th Ave.

1379 10th Ave.

1362 3rd Ave.

Sidewalk Dumping

1725 Fulton

Approximately 710 Grove

Dangerous Sidewalks

1640 Eddy

1652 Eddy

Approximately 1565 Turk

Blight

1592 Golden Gate

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes

Approximately 1136 Oak

Northwest corner of Grove and Webster

Northwest corner of McAllister and Webster

Southwest corner of Turk and Steiner

Northwest corner of Scott and Ellis

Northeast corner of Post and Broderick

Southeast corner of Bush and Broderick

1639 Fulton

*Emergency Boxes**Northeast corner of Steiner and O'Farrell**Southeast corner of Baker and Sutter**Parking and Traffic Signs**2779 Bush**From: Supervisor Mirkarimi**To: Director, Department of Public Works**Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:**Residential and Commercial Buildings**279 Hickory**925 Pierce, on Golden Gate**1511 Golden Gate**1570 Golden Gate**1040 Fillmore**1075 Fillmore**1101 Oak**1594 Golden Gate, on front and on Elm**Approximately 50 Garden**Northwest corner of Post and Broderick**1550 Steiner**1689 Fulton, all sides**1751 Fulton**649 Central**Planter Boxes**1195 Oak**From: Supervisor Mirkarimi**To: Director, Department of Public Works**Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:**Garbage Cans**Southwest corner of Patricia's Green**Approximately 1170 Divisadero**Mailboxes**2299 Post**2215 Post**Northeast Corner of Baker and Post**Southwest Corner of Fillmore and Golden Gate**Northwest corner of Webster and Fulton**Street Walls and Overpasses**Northeast corner of Hayes and Laguna**Approximately 1560 Golden Gate**Approximately 1980 Geary**Parking Lots**Approximately 30 Garden*

Public Benches
Picnic table towards rear (Southside) of Bush St. Mini-Park

Fire Hydrants

1350 Fell

1153 Oak

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
347 Judah
Southwest corner of Geary and Divisadero
Northwest corner of Hayes and Laguna
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Northwest corner of Baker and Fulton
Southeast corner of Masonic and Fulton
1750 Fulton
1377 Fell
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
1195 Oak
1750 Fulton
Irving and 7th Avenue
Southeast corner of Geary and Divisadero
Southeast corner of Masonic and Hayes
Northwest corner of Hayes and Laguna
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
1195 Oak
1750 Fulton
1377 Fell
Southwest corner of Geary and Divisadero

SF Weekly

Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Southeast corner of Page and Laguna
Southeast corner of Masonic and Hayes
1750 Fulton
1195 Oak

Advertiser

Southwest corner of Geary and Divisadero
1377 Fell

*Jobs and Careers**Southwest corner of Geary and Divisadero**Southeast corner of Masonic and Fulton**Real Estate Times**Southeast corner of Masonic and Fulton**From: Supervisor Mirkarimi**To: Director, Department of Public Works**Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:**Metal Poles**Southwest corner of Hayes and Ivy**765 Grove**887 Webster**Approximately 1174 McAllister**Approximately 1565 Turk**1179 Scott**1375 Scott**1415 Scott**1101 Oak**Southeast corner of Garden and Broderick**1701 Broderick**1704 Broderick**Approximately 2030 Geary**Approximately 2040 Geary**Approximately 1670 Eddy**Approximately 1110 Divisadero**1614 Fulton**649 Central**Wood Poles**Northwest corner of Elm and Pierce**Approximately 20 Garden**Approximately 80 Garden**Concrete Poles**733 Webster**1335 Fell***In Memoriam***Sandra Rovetti – Supervisor Campos*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:47 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 7, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 3, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

Rules Committee

Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday

1:00 PM

Wednesday

10:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 20

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 29, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

110434 [Public Works Code - Waiver of Certain Temporary Street Space Occupancy Fees]

Sponsor: Avalos

Ordinance waiving the San Francisco Public Works Code Section 724.1(b), which imposes temporary street space occupancy fees, on Saturday, May 7, 2011, and Saturday, May 21, 2011, for certain streets in San Francisco, as part of Small Business Week Sidewalk Sales.

Ordinance No. 75-11

FINALLY PASSED

110304 [Mental Health Services Act FY2011-2012 Plan Annual Update]

Resolution authorizing adoption of the Mental Health Services Act FY2011-2012 Plan Update for community services and support, prevention and early intervention, workforce education and training, innovation, capital facilities and technological needs, and modification of the Mental Health Services Act Agreement with the California Department of Mental Health, Contract No. 07-77338-000, to include this Annual Update. (Public Health Department)

Resolution No. 187-11

ADOPTED

Recommendation of the Land Use and Economic Development Committee**110280 [Public Works Code, Police Code - Posting of Signs on City Property, Increasing Penalty, and Enforcement]**

Sponsors: Mirkarimi; Wiener and Mar

Ordinance amending the San Francisco Public Works Code by amending Sections 184.62, 184.63, and 184.65 thereof, to: 1) increase the minimum criminal penalty for violations of Article 5.6 of the Public Works Code from \$50 to \$100; 2) amend the procedures for administrative enforcement of Article 5.6 of the Public Works Code and specify the amounts of administrative penalties; 3) provide that in any civil action or administrative proceeding to enforce Article 5.6 the City shall have the burden of proof; 4) provide that where an unlawfully posted sign proposes a commercial transaction, the fact that the sign identifies a person or entity may give rise to an inference that person or entity posted or caused the posting of the sign; and 5) amending the Police Code by amending Section 39-1 thereof, to provide that that Section shall not apply to administrative citations issued under Public Works Code Section 184.63.

Ordinance No. 74-11

FINALLY PASSED

Recommendations of the Rules Committee**110432 [Appointment, San Francisco Health Authority - Brenda Yee]**

Motion appointing Brenda Yee, term ending January 15, 2014, to the San Francisco Health Authority, residency requirement waived. (Clerk of the Board)

Brenda Yee, seat 2, succeeding Randy Wittorp, term expired, must be a nominee of Hospital Council of Northern California, for the unexpired portion of a three-year term ending January 15, 2014, residency requirement waived.

Motion No. M11-62

APPROVED

110433 [Appointment, Medical Cannabis Task Force - Stewart Rhoads]

Motion appointing Stewart Rhoads, term ending July 16, 2013, to the Medical Cannabis Task Force. (Clerk of the Board)
Stewart Rhoads, seat 14, new appointment, must be a person with a background in providing medical cannabis to permitted medical cannabis dispensaries located in the City and County of San Francisco, for a term ending July 16, 2013.

Motion No. M11-63

APPROVED

110446 [Appointments, Pedestrian Safety Advisory Committee - John Lowell, Pi Ra, Richard Rothman, Mari Hunter, and Jay Lee]

Motion appointing John Lowell, term ending March 28, 2012, and Pi Ra, Richard Rothman, Mari Hunter, and Jay Lee terms ending March 28, 2013, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Pi Ra, seat 2, succeeding himself, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2013.

Richard Rothman, seat 3, succeeding himself, term expired, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2013.

John Lowell, seat 4, succeeding Helen Kwan, term expired, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2012.

Mari Hunter, seat 5, succeeding herself, term expired, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2013.

Jay Lee, seat 9, succeeding himself, term expired, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2013.

Motion No. M11-64

APPROVED

110451 [Appointment, Children and Families First Commission - Mary Hansell]

Motion appointing Mary Hansell, for an indefinite term, to the Children and Families First Commission, residency requirement waived. (Clerk of the Board)

Mary Hansell, seat 1, succeeding Twila Brown, retired, must be the Director of Public Health or his/her designee, for an indefinite term, residency requirement waived.

Motion No. M11-65

APPROVED

110460 [Appointment, SRO Task Force - Joyce Lam]

Motion appointing Joyce Lam, term ending December 31, 2012, to the SRO Task Force. (Clerk of the Board)

Joyce Lam, seat 8, succeeding Matthias Mormino, resigned, must be a representative of the Families SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Motion No. M11-66

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

110222 [Public Works Code - Declaring Illegal Dumping on Public Property a Nuisance, and Providing a Mechanism for Abating and Enforcing that Nuisance]

Sponsors: Cohen; Chu, Avalos, Campos and Mar

Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1505 to: 1) declare the illegal dumping of debris and waste construction materials or industrial materials, or of more than 100 pounds of any other waste, refuse, or debris, on public property to be a public nuisance; 2) authorize enforcement by the City Attorney in a civil action; and 3) permit the City and County of San Francisco to collect civil penalties, costs of abatement, investigation, and attorneys' fees against the individuals or entities responsible for the dumping; and making environmental findings.

Ordinance No. 73-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

110151 [Appropriating \$6,995,000 of State Loans - West Marina Yacht Harbor Renovations for FY2010-2011]

Sponsor: Farrell

Ordinance appropriating \$6,995,000 of loan funding from the California Department of Boating and Waterways for the renovation of the West Harbor of the San Francisco Marina Yacht Harbor in the Department of Recreation and Park for FY2010-2011.
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110396 [Airport Lease Agreement - Asiana Airlines, Ltd - Building 648]

Resolution approving and authorizing the execution of Lease No. 11-0049 with Asiana Airlines, Inc., for cargo warehouse and support office space to be occupied by Asiana Airlines, Inc., in Building 648 at the San Francisco International Airport. (Airport Commission)

Resolution No. 186-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110439 [Accept and Expend Grant - U.S. Department of Housing and Urban Development Economic Development Initiative Special Projects - \$750,000]

Sponsors: Mayor; Cohen

Resolution authorizing the Director of the Mayor's Office of Housing to accept and expend an Economic Development Initiative Special Projects Grant from the U.S. Department of Housing and Urban Development in a total amount of \$750,000 to assist with the redevelopment of the Sunnydale public housing site into a mixed-income community.

Resolution No. 191-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the City Operations and Neighborhood Services Committee**110281 [Public Works Code, Administrative Code, and Health Code - Consolidate Existing Department of Public Works' Nuisance Enforcement, Abatement, and Cost Collection Processes]**

Sponsors: Mirkarimi; Wiener and Cohen

Ordinance amending portions of the San Francisco Public Works Code, Administrative Code, and Health Code to: 1) consolidate and streamline Department of Public Works' enforcement, abatement, and cost collection processes for public nuisances, including amendments to Administrative Code Chapter 80, Sections 80.3 and 80.8, Public Works Code Sections 170, 174.1, 707.1, 727, 735, and Health Code Article 6, Section 291.2; 2) repealing Public Works Code Sections 174.2 through 174.13, 728 through 734, and 735.1 through 735.4; 3) renumbering Public Works Code Section 707.1 as 706.9; and 4) to make environmental and other required findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110200 [Liquor License Transfer - 3132 Clement Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 612 Kearny Street to 3132 Clement Street (District 1), to Garfield Beach CVS LLC, dba CVS Pharmacy, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)
(Supervisor Avalos dissented in Committee.)

Resolution No. 188-11

ADOPTED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Avalos

Recommendation of the Land Use and Economic Development Committee

110314 [Street Vacation - Resolution of Intention - Joe DiMaggio Playground Master Plan - Mason Street]

Sponsors: Mayor; Chiu

Resolution declaring the intention of the Board of Supervisors to vacate the one block portion of Mason Street between Lombard Street and Columbus Avenue for purposes of the North Beach Public Library and Joe DiMaggio Playground Master Plan, subject to certain conditions; and setting the hearing date for June 7, 2011, at 3:00 p.m. for all persons interested in the proposed vacation of said public right-of-way.

Resolution No. 190-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Public Safety Committee

110402 [Accept and Expend Grant - Community Oriented Policing Services - \$750,000]

Sponsor: Cohen

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Community Oriented Policing Services Grant in the amount of \$750,000 from the United States Department of Justice for the period December 16, 2009, to December 15, 2012.

Resolution No. 189-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

Supervisor Cohen Excused from Voting

Supervisor Chu, seconded by Supervisor Avalos, moved that Supervisor Cohen be excused from voting on File No. 110393. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Cohen

110393 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Malia Cohen]

Motion appointing Supervisor Malia Cohen, term ending June 30, 2012, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M11-67

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Cohen

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Farrell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ASIAN PACIFIC AMERICAN HERITAGE MONTH

Privilege of the floor was granted to Claudine Cheng; Chair, Asian Pacific Heritage, who provided an overview of Asian Pacific Heritage Month. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Asian Pacific American Heritage Month, their accomplishments, and their continued community support as referenced below:

Supervisor Mar recognized Angela Tang (Richmond Area Multi-Services, Inc.); and Supervisor Farrell recognized Maria Matsu (Various Community Groups) and Alexander Ong (Betelnut Restaurant); and Supervisor Chiu recognized Wing Hoo Leung (Community Tenants Association); and Supervisor Chu recognized Martin Lam (Sunset District Goodwill); and Supervisor Mirkarimi recognized Rodney Chin (Buchanan YMCA); and Supervisor Kim recognized Steve Li (ASPIRE); and Supervisor Elsbernd recognized Mary Jung (DCCC); and Supervisor Wiener recognized Gordon Chin (Chinatown Community Development Center); and Supervisor Campos recognized Shirley Chen (Portola Neighborhood Steering Committee); and Supervisor Cohen recognized Neo Veavea (Visitation Valley); and Supervisor Avalos recognized Florence Kong (Kwan Wo Ironworks, Inc.).

SPECIAL ORDER 4:00 P.M.

110373 [Public Hearing - Conditional Use Appeal - 1268 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's February 17, 2011, Conditional Use Authorization identified as Planning Case No. 2009.1029C, by its Motion No. 18279, under Planning Code Sections 209.1 and 303 to allow new construction of four dwelling units at a density ratio up to one dwelling unit for each 1,000 square feet of lot area in the RH-3 (Residential, House, Three-Family) District and the 40-X Height and Bulk District, on property located at 1268 Lombard Street, Lot No. 015 in Assessor's Block No. 0500. (District 2) (Appellant: Marvin Frankel, on behalf of the Russian Hill Neighbors) (Filed March 21, 2011; Companion Measure to File Nos. 110374, 110375, and 110376.)

Supervisor Farrell provided an overview further indicating that the appellant and project sponsor have reached a compromise. Specifically, the appellant agreed not to challenge the project provided the Board impose additional conditions on the project. The President inquired as to whether any member of the public wished to address the Board. Marvin Frankel (Appellant) agreed to the agreement and waived the opportunity to make any additional comments or presentations. There were no speakers in support of the appeal. Toby Morris (Project Sponsor) agreed to the agreement and waived the opportunity to make any additional comments or presentations. There were no speakers in support of the project and in opposition to the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110374 [Approving Planning Commission Decision Related to Conditional Use Application - 1268 Lombard Street]

Motion approving decision of the Planning Commission by its Motion No. 18279, approving Conditional Use Application No. 2009.1029C on property located at 1268 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110375 [Disapproving Planning Commission Decision Related to Conditional Use Application - 1268 Lombard Street]

Motion disapproving decision of the Planning Commission by its Motion No. 18279, approving Conditional Use Application No. 2009.1029C on property located at 1268 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion No. M11-69

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110376 [Preparation of Findings Related to the Conditional Use Application - 1268 Lombard Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.1029C on property located at 1268 Lombard Street.

Motion No. M11-70

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

David Pilpel; expressed various concerns.

Abdallah Megahed; expressed various concerns.

Walter Paulson; shared in song certain concerns with the Board.

Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

Maggie Scott; expressed concerns relating to human services and solving child homicides and violence in the community.

Male Speaker; expressed concerns relating to human services and solving child homicides and violence in the community.

Male Speaker; expressed various religious concerns.

Allan Craigle; expressed various concerns.

CLOSED SESSION - CONFERENCE WITH CITY ATTORNEY - Potential Litigation

110522 [Closed Session - Parkmerced Development Project]

Sponsor: Elsbernd

Motion that Board of Supervisors convene in closed session on May 3, 2011, with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding threatened litigation, potentially arising out of the proposed Parkmerced Development Project, where City may be either defendant or plaintiff in at least one case in either instance.

This closed session is permitted by Government Code Section 54956.9(b), and Administrative Code Section 67.10(d)(2).

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. David Pilpel spoke in opposition to convening in closed session. There were no other speakers. The President declared public comment closed.

Motion No. M11-68

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 2:59 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Persons in attendance:

Cheryl Adams, Deputy City Attorney

Kate Stacy, Deputy City Attorney

Kristen Jensen, Deputy City Attorney

Charles Sullivan, Deputy City Attorney

Angela Calvillo, Clerk of the Board

Rick Caldeira, Legislative Deputy Director

The Board reconvened as the Board of Supervisors at the hour of 3:32 p.m. At the hour of 4:52 p.m. the Board reconvened in closed session with the same attendance.

Matter was heard in Closed Session and Filed.

RECONVENING OF THE BOARD

The Board at the hour of 5:11 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Kim, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110468 [Supporting SB 729 - California Homeowner Protection Act]**

Sponsors: Mirkarimi; Cohen and Campos

Resolution supporting Senate Bill 729, "The California Homeowner Protection Act."

Resolution No. 192-11

ADOPTED

110521 [Perinatal Depression Awareness Month - May]

Sponsor: Chu

Resolution declaring every May as Perinatal Depression Awareness Month in the City and County of San Francisco and encouraging improvements in the screening and treatment of perinatal depression.

Resolution No. 193-11

ADOPTED

110422 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 10, 2011, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Motion No. M11-71

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****110546 [Administrative Code - Health Care Security Ordinance]**

Sponsors: Campos; Mar, Avalos, Mirkarimi, Cohen, Chiu and Kim

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1, 14.3, and 14.4 of the Health Care Security Ordinance to provide that only amounts actually paid or irrevocably committed to pay for providing employee health care services shall satisfy the employer expenditure requirements of the Ordinance, add an employee notification requirement, and to modify penalty provisions.

05/03/11: ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/2/2011.

Referred to: Small Business Commission, Department of Human Services, Department of Public Health and Office of Labor Standards Enforcement

110547 [Zoning Map Amendments - Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets]

Sponsor: Chiu

Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/2/2011

110548 [Planning Code - Zoning - Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, and 607.4 and amending various other Sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R Districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/2/2011.

110549 [Park Code - Harding Park and Fleming Golf Courses Fees]

Sponsor: Elsbernd

Ordinance amending the San Francisco Park Code, Article 12, Section 12.12 to: 1) authorize the Recreation and Park Commission to approve special promotions of up to 25% of the applicable rate, and increases of up to 50% for non-resident and tournament fees at Harding Park and Fleming Golf Courses; 2) designate weekday and weekend hours; and 3) making environmental findings.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/2/2011.

110550 [Park Code - Lincoln Park Golf Fees]**Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.13 to: 1) designate weekday and weekend hours; 2) add a junior non-resident rate to the golf fees at Lincoln Park; and 3) making environmental findings.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/2/2011.

110551 [Park Code - Sharp Park Golf Fees]**Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.14 to: 1) designate weekday and weekend hours; 2) add junior resident and non-resident rates to the golf fees at Sharp Park; and 3) making environmental findings.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/2/2011.

110552 [Park Code - Golden Gate Park Golf Fees]**Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.16 to: 1) designate weekday and weekend hours; 2) add a junior non-resident rate to the golf fees at Golden Gate Park; and 3) making environmental findings.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/2/2011.

110553 [Appropriating \$1,925,000 of General Fund Reserve and \$360,000 of Public Library Preservation Fund Balance to Various Departments for Kirola Litigation Expenses in FY2010-2011]**Sponsor: Mayor**

Ordinance appropriating \$1,925,000 from the General Fund Reserve and \$360,000 from the Public Library Preservation Fund available fund balance to the Department of Public Works, the Recreation and Park Department, the Library Department, and the Mayor's Office of Disability for litigation expenses related to the United States District Court case between Ivana Kirola et. al. v. City and County of San Francisco for alleged American with Disabilities Act violations in FY2010-2011.

(Fiscal Impact.)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110554 [Water Revenue Bond Issuance - Not to Exceed \$49,100,000]**Sponsor: Chu**

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission not to exceed \$49,100,000 to finance improvements to the CUW260 Water Main, the Commission's Hetch Hetchy Water and Power System, and the Treasure Island Project pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110576 [Annual Appropriation Ordinance for Selected Departments, as of May 2, 2011, FYs Ending June 30, 2012, and June 30, 2013]**Sponsor: Mayor**

Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 2, 2011, for the FYs ending June 30, 2012, and June 30, 2013.

(Fiscal Impact.)

05/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110577 [Proposed Annual Salary Ordinance for Selected Departments, FYs Ending June 30, 2012, and June 30, 2013]**Sponsor: Mayor**

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the FYs ending June 30, 2012, and June 30, 2013.

(Fiscal Impact.)

05/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110579 [Administrative Code - Water Enterprise Environmental Enhancement Surcharge Fund]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Environmental Enhancement Surcharge Fund.

05/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110462 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]**Sponsor: Farrell**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for Stock-Based Compensation.

(Fiscal Impact; Economic Impact.)

04/19/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2011.

04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

04/27/11; REFERRED TO DEPARTMENT.

05/03/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions**110555 [Water Revenue Bonds and Water Revenue Refunding Bonds Issuance]****Sponsor: Chu**

Resolution approving the issuance of water revenue bonds and water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

(Fiscal Impact.)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110556 [Western SoMa Community Stabilization Policy]**Sponsor: Kim**

Resolution urging the Planning Commission to incorporate into the Western SoMa Community Plan the policies and objectives of the Western SoMa Community Stabilization Policy adopted by the Western SoMa Citizens Planning Task Force.

05/03/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110557 [Multifamily Housing Revenue Bonds - Fell Street Apartments - Not to Exceed \$8,100,000]**Sponsor: Mirkarimi**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$8,100,000 for Fell Street Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$40,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$8,100,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110558 [Adopting the Five-Year Financial Plan - FYs 2011-2012 through 2015-2016]**Sponsors: Mayor; Chiu and Chu**

Resolution adopting the City's Five-Year Financial Plan for FYs 2011-2012 through 2015-2016 pursuant to Charter Section 9.119.

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110559 [Lease and Use Agreement - Continental Airlines, Inc.]**Sponsor: Mayor**

Resolution approving and authorizing the execution of Modification No. 6 of the 1981 Airline-Airport Lease and Use Agreement L82-0316 with Continental Airlines, Inc., to provide a retroactive rent credit for terminal rent of exclusive use space vacated in Terminal No. 1 due to the merger of United Air Lines, Inc., and Continental Airlines, Inc., at the San Francisco International Airport. (Fiscal Impact.)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110560 [Lease and Use Agreement - Continental Airlines, Inc.]**Sponsor: Mayor**

Resolution approving and authorizing the execution of Modification No. 1 of the 2011 Lease and Use Agreement L10-0275 with Continental Airlines, Inc., to modify the demised premises by elimination of all exclusive use space in Terminal No. 1 due to the merger of United Air Lines, Inc., and Continental Airlines, Inc., at the San Francisco International Airport. (Fiscal Impact.)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110561 [Accept and Expend - Emergency Shelter Grants Program - \$1,026,169]**Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 Emergency Shelter Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 Emergency Shelter Grants Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$1,253,445 and to expend Reprogrammed Funds in the amount of \$124,000.

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110562 [Accept and Expend - Community Development Block Grant - \$20,620,744]**Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$18,583,517 and to expend Program Income and Reprogrammed Funds in the amount of \$1,966,471.

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110563 [Accept and Expend Grant - HOME Program - \$8,006,360]**Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$7,576,727, and to expend Program Income in the amount of \$430,000.

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110564 [Transfer Agreement - Alice Griffith Public Housing Opportunity Center]**Sponsor: Mayor**

Resolution approving and authorizing the transfer of a modular structure located at 2525 Griffith Street, commonly known as the Alice Griffith Opportunity Center, by the City and County of San Francisco, acting by and through the Mayor's Office of Housing to the Housing Authority of the City and County of San Francisco, for the purpose of continuing resident and community events and the provision of resident services benefitting Alice Griffith Public Housing residents.

05/03/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110565 [Joint Powers Agreement - Bay Area Regional Interoperable Communications System Authority]**Sponsors: Mayor; Chu, Chiu, Cohen and Mirkarimi**

Resolution approving a Joint Powers Agreement establishing the Bay Area Regional Interoperable Communications System Authority and authorizing payment of membership fees.

05/03/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110566 [Honoring the Mother of the Children's Fund, Margaret Brodtkin, on the 20th Anniversary of the Children's Fund]**Sponsor: Avalos**

Resolution honoring Margaret Brodtkin as the "Mother of the Children's Fund" on the occasion of the 20th Anniversary of the Children's Fund, in the City and County of San Francisco.

05/03/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110567 [Accept and Expend Grant - Infertility Prevention Project Training Program - \$41,892]**Sponsor: Chu**

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$41,892 from the California Family Health Council to fund the Infertility Prevention Project Training Program for the period of July 1, 2011, through December 31, 2011.

05/03/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110569 [Merced Branch Library Grand Reopening]**Sponsor: Elsbernd**

Resolution recognizing the Grand Reopening of the Merced Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

05/03/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110570 [Execution of Homeland Security Grants]**Sponsor: Mayor**

Resolution authorizing designated City and County of San Francisco officials to execute and file, on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security, and sub-granted through the State of California under various grant programs, including: 1) FY2011 Homeland Security Grant Program, for the FY2011 Urban Areas Security Initiative grant; 2) FY2011 Regional Catastrophic Preparedness Grant Program; 3) FY2011 State Homeland Security Grant Program (which includes the Metropolitan Medical Response System and Citizen Corps Programs); 4) FY2011 Emergency Management Performance Grant; and 5) Public Law 112-10.

05/03/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110571 [Accept and Expend Grant - Interoperable Emergency Communications Grant Program - \$1,227,632]**Sponsor: Chiu**

Resolution authorizing the Department of Emergency Management, as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to retroactively accept and expend a FY2010 Interoperable Emergency Communications Program Grant award in the amount of \$1,227,632 from the United States Department of Homeland Security, through the California Emergency Management Agency, for the period July 1, 2010, to March 31, 2013.

05/03/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110578 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services: 1) employee and public parking management services; 2) general security services; 3) information booth services; 4) shuttle bus services (Airport); and 5) janitorial services and security services (Port).
(Fiscal Impact.)

05/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions**110510 [Committee of the Whole - Purchase/Sale Agreement and Ground Lease - East Side of Arelious Walker Drive, at Gilman, and 5800 Third Street - May 17, 2011]****Sponsor: Cohen**

Motion scheduling the Board to sit as a Committee of the Whole on May 17, 2011, at 3 p.m., to hold a public hearing of the proposals of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposed Purchase and Sale Agreement between the Redevelopment Agency of the City and County of San Francisco (San Francisco Redevelopment Agency) and McCormack Baron Salazar, Inc., a Missouri corporation (MBS), for the sale to MBS of Assessor's Parcel No. 4884, Lot No. 27, located at the east side of Arelious Walker Drive, at Gilman Avenue, conditioned upon MBS's receipt of a Choice Neighborhoods Initiative Grant Award from the U.S. Department of Housing and Urban Development for the revitalization of Alice Griffith Public Housing, pursuant to the provisions of the California Community Redevelopment Law Section 33433 and a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 5800 Third Street, Assessor's Parcel No. 5431A-042, to Bayview Supportive Housing, LLC., a California limited liability company, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

05/03/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110514 [Committee of the Whole - Ground Lease Agreement - 1075 LeConte Avenue, Commonly Known at 6600 Third Street - May 17, 2011]**Sponsor: Cohen**

Motion scheduling the Board to sit as a Committee of the Whole on May 17, 2011, at 3 p.m., to hold a public hearing of the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 1075 Le Conte Avenue, Assessor's Parcel No. 009-5476, commonly known as 6600 Third Street (Property), to Third & LeConte Associates, LP, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

05/03/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**110511 [Public Hearing - Purchase/Sale Agreement and Ground Lease - East Side of Arelious Walker Drive, at Gilman, and 5800 Third Street]**

Public hearing to consider the proposed Purchase and Sale Agreement between the Redevelopment Agency of the City and County of San Francisco (San Francisco Redevelopment Agency) and McCormack Baron Salazar, Inc., a Missouri corporation (MBS), for the sale to MBS of Assessor's Parcel No. 4884, Lot No. 27, located at the east side of Arelious Walker Drive, at Gilman Avenue, conditioned upon MBS's receipt of a Choice Neighborhoods Initiative Grant Award from the U.S. Department of Housing and Urban Development for the revitalization of Alice Griffith Public Housing and to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 5800 Third Street, Assessor's Parcel No. 5431A-042, to Bayview Supportive Housing, LLC., a California limited liability company, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

04/29/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110515 [Public Hearing - Ground Lease Agreement - 1075 LeConte Avenue, Commonly Known as 6600 Third Street]

Sponsor: Cohen

Public hearing to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 1075 Le Conte Avenue, Assessor's Parcel No. 009-5476, commonly known as 6600 Third Street (Property), to Third & LeConte Associates, LP, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

04/29/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110572 [Hearing - Pedestrian Injury Accidents]

Sponsor: Avalos

Hearing on the progress of data-sharing between Police Department, Municipal Transportation Agency, Department of Public Health, and targeted pedestrian safety enforcement based on data-driven analysis of trends in pedestrian-injury accidents.

05/03/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110573 [Hearing - Controller/City Service Auditor's Work Plan for FY2011-2012]

Sponsor: Campos

Hearing on the Controller/City Service Auditor's Work Plan for FY2011-2012.

05/03/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110574 [Hearing - Muni's T-Line Performance]

Sponsor: Cohen

Hearing on the average speed of Muni's T-Line, including the success of planned signal prioritization for light rail vehicles, and the impacts of the practice of switchbacks on the reliability of service.

05/03/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110575 [Hearing - Mayor's Proposed May Budget FY2011-2012]**Sponsor: Mayor**

Hearing to review the Mayor's Proposed May Budget FY2011-2012.

05/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCE****110537 [Settlement of Lawsuit - Stephanie Davis - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by Stephanie Ann Davis against the City and County of San Francisco for \$45,000; the lawsuit was filed on January 5, 2010, in San Francisco Superior Court, Case No. CGC-10-495809; entitled Stephanie Ann Davis, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

04/25/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**110536 [Airport Lease Agreement - XpresSpa SF International, LLC, and ILJ San Francisco, LLC]**

Resolution approving Amendment No. 1, retroactive to April 14, 2011, to Airport Spa Lease No. 06-0242 with XpresSpa SF International, LLC; and Amendment No. 2 to Technology Stores and Accessories Lease No. 07-0108 with ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/28/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110538 [Lease of Property - MTA's Transit Management Center - 1455 Market Street]

Resolution authorizing the lease of 39,573 sq. ft. at 1455 Market Street for ten years plus options to extend for the San Francisco Municipal Transportation Agency's Transit Management Center. (Real Estate Department)

04/22/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110539 [Settlement of Claim - Tadhge Conway - \$250,000]

Resolution approving the settlement of the unlitigated claim filed by, Tadhge Conway against the City and County of San Francisco for \$250,000; the claim was filed on July 22, 2010, Claim No. 11-00169. (City Attorney's Office)

04/25/11; RECEIVED AND ASSIGNED to Rules Committee.

110541 [Airport Lease Agreement - Advanced Wireless Group, LLC]

Resolution approving the Lease Agreement for Operation and Maintenance of Public Wireless-Fidelity System at San Francisco International Airport between Advanced Wireless Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact.)

04/19/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110542 [Airport Lease Agreement - J. Avery Enterprises]

Resolution approving Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0192 with J. Avery Enterprises, dba Klein's Deli, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact.)

04/28/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Northwest and Southwest corners of Fillmore and Post

Southwest corner of Divisadero and Sutter

347 Judah

Southwest corner of Buchanan and Post

2435 California

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle:

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 7th Ave.

Southwest corner of California and Fillmore

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

Northeast corner of Buchanan and Post

Southeast corner of Webster and Post

Advertiser

Northeast corner of Buchanan and Post

Jobs and Careers

Northwest corner of Buchanan and Post

Southwest corner of California and Fillmore

Western Edition HP Journal

Northeast corner of Fulton and Laguna

Southeast corner of Webster and Post

USA Today

Northwest corner of Buchanan and Post

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings

418 Haight

542 Haight
546 Haight
55 Laguna
1751 Fulton
Approximately 225 Haight
Approximately 1444 Laguna
Approximately 11 Wilmot
704 Buchanan
Opposite 51 Wilmot
Northeast corner of Willow and Buchanan
Southwest corner of McAllister and Webster
711 Webster
Approximately 1505 Geary
Northwest corner of Lottie Bennett Lane and Geary
500 Oak
531 Buchanan

Parking Lot
Approximately 2021 Steiner

Ornamental Street Lamps
1590-1610 Geary

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes

Northwest corner of Galilee and Laguna
Northwest corner Webster and Grove
Northeast corner Linden and Buchanan
Southeast corner Haight and Fillmore
Northwest corner of Laguna and Turk
Northeast corner of Oak and Buchanan
Northeast corner of Laguna and Geary
1505 Octavia
Approximately 850 Webster
Northwest corner of Webster and Grove
Southeast corner of Fell and Webster
Northeast corner of Oak and Webster
Approximately 380 Webster
Southeast corner of Buchanan and Golden Gate

Bus Shelters

Southeast corner of Laguna and Post
Southwest corner of Laguna and Geary
Southwest corner Haight and Pierce
Southwest corner Fillmore and Hayes
Southwest corner Haight and Buchanan
Haight and Fillmore (all four bus shelters, graffiti and dirty)

Emergency Boxes

Southeast corner of Geary and Buchanan
Southwest corner of Pine and Octavia
Southwest corner of Golden Gate and Laguna

Parking and Traffic Signs
Northeast corner of Webster and Grove
672 Ivy
Southeast corner of Eddy and Laguna
Approximately 9 Wilmot
2396 Pine
1435 Laguna
1445 Laguna
Southwest corner of Laguna and Geary
Opposite 16 Orben
Opposite 820 Laguna
873 Laguna
951 Laguna

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Southern end of Cottage Row Mini-Park
Northwest corner of Sutter and Cottage Row
Southwest corner of Laguna and Geary
Northeast corner of McAllister and Laguna

Mailboxes
Northeast corner of Haight and Buchanan
1501 Post
Southwest corner outlook and Geary
Southeast corner of California and Steiner
Northeast corner of Pine and Octavia
Southeast corner of Buchanan and Golden Gate
Southwest corner of Oak and Webster

Street Walls and Overpasses
960 Webster

Curbstones
1490 Post
Northwest corner Laussat and Buchanan

Fire Hydrant
Southwest corner of Buchanan and Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Potholes
Western crosswalk at the intersection of Bush and Gough

Dangerous Sidewalks
689 Fell
Intersection of Lottie Bennett Lane and Geary
700 Laguna

*Street Tree Issues
Approximately 5 Wilmot*

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation and provide an opinion on said legislation that would prohibit City employees from recommending specific lobbyists to persons and businesses seeking to enter into a contract with the City and County of San Francisco.

In Memoriam

Joyce Wentz – Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:13 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 14, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 10, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

Rules Committee

Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday

1:00 PM

Wednesday

10:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 21

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of April 5, 2011, and Special Board Meeting Minutes at the Budget & Finance Committee Meeting (File Nos. 110225 and 110113) of April 6, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from John Arntz, Director of Elections, regarding the 2010 biennial census data, and from Ben Rosenfield, Controller, regarding the Deferred Retirement Option Program. There were no other communications.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

110545 [Formal Policy Discussions - May 10, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. What, if any, are the status of discussions with the San Francisco 49ers to keep them in our City, and with the Golden State Warriors to potentially draw them to San Francisco? (Supervisor Farrell, District 2)

2. The Board of Supervisors has considered, and is in the process of considering, several proposals to attract and to keep large businesses in our City. How do you think our City can proactively help smaller businesses in our many local business corridors? (Supervisor Chu, District 4)

3. In 1989, voters approved San Francisco's Sanctuary City Ordinance which prohibits our Police Department and local government officials from assisting in the prosecution of immigration enforcement unless it is absolutely required under Federal or State law. In 2009, this body, under Supervisor Campos' leadership, passed-by a supermajority-a clarification to that ordinance to prohibit our law enforcement from reporting undocumented youths unless they are convicted of a felony. To date, this ordinance has not been followed by the City. What is your plan to implement this Ordinance to prohibit the Juvenile Probation Department from reporting undocumented youths at the time of arrest? (Supervisor Kim, District 6)

4. We in San Francisco do a very good job building market rate housing and, while we need to do more, we build almost 80% of our state goal for low-income housing. We do a poor job building moderate income housing, meeting only 12% of our state goal. Since middle-income housing is not reported separately from market rate housing, it is unknown how much middle-income housing we produce. Implementing our local hiring ordinance will be very difficult if we don't produce the needed moderate and middle income housing for these local hires. How do you propose increasing the amount of housing affordable to middle income people, so that we can house our workforce locally? (Supervisor Wiener, District 8)

5. The Potrero Power Plant ceased operations on February 28, 2011, a day that came after many years of work and struggle involving the City and many community partners. Now that the closure of the plant has been achieved, the dialogue must shift to the objectives of cleaning-up, and ultimately, reusing the site. Much of the responsibility for remediating the site lies with the Pacific Gas and Electric Company. What will be your approach to ensure that this clean-up is achieved in a timely manner? How can the Mayor's Office help drive the process of remediation and redevelopment forward? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

110151 [Appropriating \$6,995,000 of State Loans - West Marina Yacht Harbor Renovations for FY2010-2011]

Sponsor: Farrell

Ordinance appropriating \$6,995,000 of loan funding from the California Department of Boating and Waterways for the renovation of the West Harbor of the San Francisco Marina Yacht Harbor in the Department of Recreation and Park for FY2010-2011.

(Fiscal Impact.)

Ordinance No. 76-11

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

110281 [Public Works Code, Administrative Code, and Health Code - Consolidate Existing Department of Public Works' Nuisance Enforcement, Abatement, and Cost Collection Processes]

Sponsors: Mirkarimi; Wiener and Cohen

Ordinance amending portions of the San Francisco Public Works Code, Administrative Code, and Health Code to: 1) consolidate and streamline Department of Public Works' enforcement, abatement, and cost collection processes for public nuisances, including amendments to Administrative Code Chapter 80, Sections 80.3 and 80.8, Public Works Code Sections 170, 174.1, 707.1, 727, 735, and Health Code Article 6, Section 291.2; 2) repealing Public Works Code Sections 174.2 through 174.13, 728 through 734, and 735.1 through 735.4; 3) renumbering Public Works Code Section 707.1 as 706.9; and 4) to make environmental and other required findings.

Supervisor Cohen requested to be added as a co-sponsor.

Ordinance No. 77-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

110114 [Environment Code - Yellow Pages Distribution Pilot Program]

Sponsors: Chiu; Mar, Mirkarimi, Wiener and Cohen

Ordinance adding Chapter 20 to the Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages phone directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: 1) there is personal delivery of the directory to a human being, 2) there has been a request for delivery of the directory to the residence or business, or 3) directories are maintained for pick-up at a distribution center or business open to the public; mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages phone directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.
(Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

110330 [Administrative Code - Public Work Construction Contractor/Subcontractor Appeal Hearing Procedures for Non-Compliance with Prevailing Wage Requirements]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code, Section 6.22, Public Work Construction Contract Terms and Working Conditions, by amending Subsection 6.22(E)(8) to further delineate due process procedures for administrative hearings on appeals by public work contractors and/or subcontractors from a Certification of Forfeiture made by the City's Labor Standards Enforcement Officer or responsible department head for non-compliance with prevailing wage requirements; and to additionally conform distribution of forfeiture provisions to State law.

Supervisor Chiu, seconded by Supervisor Chu, moved that this Ordinance be AMENDED on Page 10, Lines 5-8, specifying that Administrative Law Judges will require at least 10 year's employment with the City as an Administrative Law Judge, including two year's experience in labor law, prevailing wage, and or wage and hour matters.

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110436 [Public Employment - Office of the Public Defender]

Sponsor: Mirkarimi

Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of 0.25 Social Worker in the Office of the Public Defender.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110520 [Accept and Expend Grant - Electric Vehicle Infrastructure - \$100,000]

Sponsors: Mayor; Mar

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant of \$100,000 from the Bay Area Air Quality Management District to contribute to the cost of installing 60 publicly available electric vehicle chargers.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 198-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Sub-Committee Without Recommendation**100920 [Finding of Fiscal Feasibility - Cruise Terminal Project at Pier 27]**

Resolution finding the proposed cruise terminal project at Pier 27 is fiscally feasible pursuant to Administrative Code Chapter 29. (Port)
(Supervisor Kim dissented in Committee.)

Resolution No. 197-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Budget and Finance Committee**110437 [Appropriating \$6,209,064 of General Fund Reserve and Re-Appropriating \$2,821,843 for Salaries, Disability, and Workers' Compensation - Sheriff's Department for FY2010-2011]**

Sponsor: Mayor

Ordinance appropriating \$6,209,064 of General Fund Reserve and re-appropriating \$2,821,843 of expenditure contingency and debt service savings to fund salary expenditures due to fewer retirements than anticipated, disability pay, and workers' compensation claims in the Sheriff's Department for Fiscal Year 2010-2011.
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****110423 [Public Hearing - Report of Assessment Costs for Blighted Properties]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

The President inquired as to whether any member of the public wished to address the Board. Kenny Bruce (Department of Public Works) provided an overview of the assessments. Arthur Brayson; Maddy Olivey; Diana Lau; Blake Williams; Kevin Gilrad; Male Speaker; Male Speaker; Larry Williams; George Lasalle; Brian Maloney; Frank; Male Speaker; Dolan; Walter Paulson; Male Speaker; spoke objecting to the proposed assessments. Kenny Bruce (Department of Public Works) responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

110424 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

Kenny Bruce (Department of Public Works) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment:

1098 Hollister Avenue
1452 Bush Street
1461 Pine Street
1600 Irving Street
2250 Irving Street
2374 Mission Street
688 Commercial Street
745 Sutter Street
873 Sutter Street
907 Larkin Street
1482 Jackson Street
875 Bush Street
667 Monterey Boulevard

The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 110424, were received without objection.

Resolution No. 194-11

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Kim, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the Human Service Agency's Job Club in recognition of their work supporting clients prepare for employment.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Rob Daniels (SFUSD) on behalf of the Young at Arts Festival in recognition of their accomplishments and continued community support. Antigone Trimis and Susan Stauter shared in the recognition.

SPECIAL ORDER 4:00 P.M.**110452 [Public Hearing - Appeal of Final Environmental Impact Report - 2004 and 2009 Housing Elements]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's March 24, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.1275E, through its Motion No. 18307, for the 2004 and 2009 Housing Elements (Citywide). (Appellant: Kathryn R. Devincenzi, on behalf of various organizations.)

(Filed April 12, 2011; Companion to File Nos. 110453, 110454, and 110455.)

The President inquired as to whether any member of the public wished to address the Board. Kathryn Devincenzi (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. David Bisho; Patricia Vaughey; Geoff Wood; Anne Harvey; Susan Land; Rose Hillson; Dan Levinson; Ken Hoegger; Marilyn Amini; Mark Soloman; Matt Chamberlain; Karen Breslin; Joyce Goode; Barbara Morgan-Zanni; Barbara Wanvig; Nancy Leavens; Barbara Howard; Moral Kirshinval; Paul Wermer; Bob Bardell; Serena Bardell; Hirushi Fukuda; Joan Girardot; George Webbing; Judy Burkowitz; Karen Wood; Former Supervisor John Bardis; spoke in support of the appeal. Sarah Jones and Jessica Range (Planning Department) provided an overview of the decision of the Planning Department. John Rahaim, Planning Department Director, Sarah Jones, Jessica Range, and Sarah Dennis-Phillips (Planning Department), and Audrey Pearson (City Attorney's Office) responded to questions raised throughout the discussion. Tim Colen; spoke in support of the decision of the Planning Department. Kathryn Devincenzi (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110453 [Affirming Certification of Final Environmental Impact Report - 2004 and 2009 Housing Elements]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 2004 and 2009 Housing Elements. (Clerk of the Board)

Motion No. M11-72

Supervisor Kim, seconded by Supervisor Wiener, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

110454 [Reversing Certification of Final Environmental Impact Report - 2004 and 2009 Housing Elements]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2004 and 2009 Housing Elements. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Wiener, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

110455 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 2004 and 2009 Housing Elements]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2004 and 2009 Housing Elements. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Wiener, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Eugene Gordon, Jr.; expressed various concerns.

Maggie Scott; expressed concerns relating to human services and solving child homicides and violence in the community.

Paul Maher; expressed concerns relating to disinfection in the workplace.

Male Speaker; expressed concerns relating to elder abuse.

Ace Washington; expressed various concerns.

Male Speaker; expressed various religious concerns.

Bobbi Lopez; expressed concerns relating to implementation of the sanctuary policy.

Patricia Vaughney; expressed concerns relating to human rights.

Scott Pfiefer; expressed concerns relating to blighted properties.

Male Speaker; expressed concerns relating to Local Homeless Coordinating Board and potential appointments.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110566 [Honoring the Mother of the Children's Fund, Margaret Brodtkin, on the 20th Anniversary of the Children's Fund]**

Sponsor: Avalos

Resolution honoring Margaret Brodtkin as the "Mother of the Children's Fund" on the occasion of the 20th Anniversary of the Children's Fund, in the City and County of San Francisco.

Resolution No. 196-11

ADOPTED

110567 [Accept and Expend Grant - Infertility Prevention Project Training Program - \$41,892]**Sponsor: Chu**

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$41,892 from the California Family Health Council to fund the Infertility Prevention Project Training Program for the period of July 1, 2011, through December 31, 2011.

Resolution No. 199-11**ADOPTED****110569 [Merced Branch Library Grand Reopening]****Sponsor: Elsbernd**

Resolution recognizing the Grand Reopening of the Merced Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

Resolution No. 195-11**ADOPTED****110570 [Execution of Homeland Security Grants]****Sponsor: Mayor**

Resolution authorizing designated City and County of San Francisco officials to execute and file, on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security, and sub-granted through the State of California under various grant programs, including: 1) FY2011 Homeland Security Grant Program, for the FY2011 Urban Areas Security Initiative grant; 2) FY2011 Regional Catastrophic Preparedness Grant Program; 3) FY2011 State Homeland Security Grant Program (which includes the Metropolitan Medical Response System and Citizen Corps Programs); 4) FY2011 Emergency Management Performance Grant; and 5) Public Law 112-10.

Resolution No. 200-11**ADOPTED**

110510 [Committee of the Whole - Purchase/Sale Agreement and Ground Lease - East Side of Arelious Walker Drive, at Gilman, and 5800 Third Street - May 17, 2011]**Sponsor:** Cohen

Motion scheduling the Board to sit as a Committee of the Whole on May 17, 2011, at 3 p.m., to hold a public hearing of the proposals of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposed Purchase and Sale Agreement between the Redevelopment Agency of the City and County of San Francisco (San Francisco Redevelopment Agency) and McCormack Baron Salazar, Inc., a Missouri corporation (MBS), for the sale to MBS of Assessor's Parcel No. 4884, Lot No. 27, located at the east side of Arelious Walker Drive, at Gilman Avenue, conditioned upon MBS's receipt of a Choice Neighborhoods Initiative Grant Award from the U.S. Department of Housing and Urban Development for the revitalization of Alice Griffith Public Housing, pursuant to the provisions of the California Community Redevelopment Law Section 33433 and a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 5800 Third Street, Assessor's Parcel No. 5431A-042, to Bayview Supportive Housing, LLC., a California limited liability company, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

Motion No. M11-73**APPROVED****110514 [Committee of the Whole - Ground Lease Agreement - 1075 LeConte Avenue, Commonly Known at 6600 Third Street - May 17, 2011]****Sponsor:** Cohen

Motion scheduling the Board to sit as a Committee of the Whole on May 17, 2011, at 3 p.m., to hold a public hearing of the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 1075 Le Conte Avenue, Assessor's Parcel No. 009-5476, commonly known as 6600 Third Street (Property), to Third & LeConte Associates, LP, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

Motion No. M11-74**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110594 [Administrative Code - Enforcement of Minimum Wage Laws by the Office of Labor Standards]

Sponsors: Campos; Mar, Avalos, Chiu, Mirkarimi and Kim

Ordinance amending the San Francisco Administrative Code Sections 12R.5, 12R.7, 12R.16, 12R.17, 12R.18, and 12R.25 to: 1) enhance Office of Labor Standards enforcement of the City's minimum wage laws by clarifying agency access to places of employment; 2) require enforcement actions to be completed within one year, raising the penalty for employer retaliation; 3) impose a penalty for failure to post minimum wage rates; 4) provide for posting notice to employees upon commencement of an investigation and public posting of employer non-compliance with penalties; 5) provide authority to immediately issue an administrative citation upon sufficient evidence of certain violations; and 6) require industry-focused outreach materials for employees.

05/10/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/2/2011.

110595 [Convening the Redistricting Task Force]

Sponsors: Chiu; Kim

Ordinance convening the Redistricting Task Force, pursuant to Charter Section 13.110(d), and amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-397 to include the Redistricting Task Force in the City's Conflict of Interest Code.

05/10/11; ASSIGNED to Rules Committee.

110116 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]

Sponsor: Farrell

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to: 1) establish the Presidio-Sutter Special Use District for property at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); 2) amend Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 45-X; and 3) amend Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

02/09/11; REFERRED TO DEPARTMENT.

05/10/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110507 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2010-2011 - \$29,494,813]

Sponsor: Mayor

Ordinance recognizing state revenue losses of \$18,484,060 at San Francisco General Hospital and appropriating \$31,055,000, including \$8,104,000 of General Fund Reserve, \$14,851,000 of surplus Laguna Honda Hospital revenues, \$1,925,000 of surplus San Francisco General Hospital revenues, de-appropriating \$6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including \$20,334,000 at San Francisco General Hospital and \$10,721,000 at Laguna Honda Hospital for FY2010-2011. (Fiscal Impact.)

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/10/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions

110597 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$696,000]

Sponsor: Chiu

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant from the State Transportation Development Act Article 3 funds totaling \$696,000 including \$341,000 for the Department of Public Works and \$355,000 for various pedestrian and bicycle projects in San Francisco in FY2011-2012.

05/10/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110598 [Accept and Expend Grant - Non-Structural Seismic Retrofit - \$999,999]

Sponsor: Cohen

Resolution authorizing the Department of Public Health and San Francisco General Hospital to retroactively accept and expend a federal pass-through state grant in the amount of \$999,999 from the California Emergency Management Agency (CalEMA), to support San Francisco General Hospital's non-structural retrofit activities for the period February 15, 2011, through February 14, 2014, and waiving indirect costs.

05/10/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110599 [Grant Easement to, and Acceptance of Easement Purchase and Sale Agreement and Delivery Truck Easement Agreement - Avalon Ocean Avenue, L.P. - Phelan Bus Loop]

Sponsor: Elsbernd

Resolution approving the execution of an Easement Purchase and Sale Agreement, together with a Delivery Truck Easement Agreement, by and between the City and County of San Francisco, acting by and through the Municipal Transportation Agency, and Avalon Ocean Avenue, L.P., a Delaware Limited Partnership for the Phelan Bus Loop.

05/10/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110600 [Fillmore Jazz Community Benefit District Expansion and Renaming to Fillmore Community Benefit District]**Sponsor: Mirkarimi**

Resolution (1) declaring the intention of the Board of Supervisors to renew the property based Fillmore Jazz Community Benefit District, to be expanded and renamed the "Fillmore Community Benefit District," and to levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

05/10/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110601 [Supporting Filipino Veterans Fairness Act]**Sponsors: Chiu; Mar, Cohen, Kim, Mirkarimi and Avalos**

Resolution supporting the Filipino Veterans Fairness Act of 2011, House of Representative Bill 210.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110602 [Public Works Week - May 15-21, 2011]**Sponsor: Chiu**

Resolution proclaiming May 15 through May 21, 2011, as Public Works Week in the City and County of San Francisco, commending the women and men of the Department of Public Works, and calling upon all of its residents, businesses, and neighborhood and merchant organizations to work in collaboration with the department as it enhances the quality of life in San Francisco.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110603 [Memorandum of Understanding Second Amendment - Urban Areas Security Initiative Grant Funds]**Sponsor: Chu**

Resolution approving a Second Amendment to the Memorandum of Understanding (MOU) between the City and County of San Francisco, the City of Oakland, the City of San Jose, the County of Alameda, and the County of Santa Clara, that establishes a governance structure and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative Grant Funds to the Bay Area Urban Area, to extend the term of the MOU to December 31, 2011, and authorizing the Executive Director of the Department of Emergency Management to execute that Second Amendment on behalf of the City and County of San Francisco.

05/10/11; ASSIGNED to Government Audit and Oversight Committee.

110604 [Apply for Grant - Installation of Rubber Sidewalks - Not to Exceed \$12,600]**Sponsor: Cohen**

Resolution authorizing the City and County of San Francisco to apply for grant funds in the amount up to, but not to exceed, \$12,600 from the California Department of Resources Recycling and Recovery, Tire-Derived Product Grant Program for the purpose of installing rubber sidewalks and preserving mature trees.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110605 [National Safe Boating Week - May 20-29, 2011]**Sponsor: Elsbernd**

Resolution proclaiming May 20-29, 2011, as "National Safe Boating Week" in the City and County of San Francisco.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110606 [Accept and Expend Grant - Pesticide Use Reporting - \$2,528]**Sponsor: Mar**

Resolution authorizing the Department of Public Health to accept and expend a grant (Agreements #11-C0035) in the amount of \$2,528 from the California Department of Pesticide Regulation to fund the program entitled "Pesticide Use Reporting" for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110607 [Accept and Expend Grant - Weed Management - \$16,757]**Sponsor: Mar**

Resolution authorizing the Department of Public Health to retroactively accept and expend a state grant (Agreement #10-0794) in the amount of \$16,757 from the California Department of Food and Agriculture to fund the program entitled "Weed Management" for the period of January 1, 2011, through December 31, 2011, and waiving indirect costs.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110608 [Accept and Expend Grant - Petroleum Products Compliances and Weighmaster Enforcement Program - \$8,250]**Sponsor: Mar**

Resolution authorizing the Department of Public Health to accept and expend a grant (Agreements #11-0036-SA) in the amount of \$8,250 from the California Department of Food and Agriculture to fund the program entitled "Petroleum Products Compliances and Weighmaster Enforcement Program" for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110609 [St. Paul's Centennial Celebration Day - May 29, 2011]**Sponsors: Wiener; Elsbernd**

Resolution honoring the centennial of St. Paul's Catholic Church and proclaiming May 29, 2011, to be "St. Paul's Centennial Celebration Day" in the City and County of San Francisco.

05/10/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110610 [Department of Children, Youth, and Their Families Community Needs Assessment]**Sponsor: Mayor**

Resolution approving the Community Needs Assessment developed by the Department of Children, Youth, and Their Families, in accordance with Section 16.108 of the San Francisco Charter.

05/10/11; ASSIGNED to City Operations and Neighborhood Services Committee.

110238 [Establishing a Biofuels Citizen's Advisory Committee]**Sponsor: Mirkarimi**

Resolution establishing a Biofuels Citizen's Advisory Committee (CAC), establishing its sunset date, establishing the number of voting members of the CAC, appointing certain members of the former Biodiesel Access Taskforce to the CAC, and directing the CAC to establish biofuels sustainability standards.

03/01/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

03/18/11; TRANSFERRED to Rules Committee.

05/10/11; SUBSTITUTED AND ASSIGNED to Rules Committee.

Requests for Hearing**110611 [Hearing - Nine Month Budget Status Report]****Sponsor: Chu**

Hearing to receive an update from the Controller's Office on the Nine Month Budget Status Report.

05/10/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110612 [Hearing - Mayor's FY2011-2012 Proposed Budget Discussion - Controller's Revenue Letter]**Sponsor: Chu**

Hearing to receive report from the Controller's Office on their revenue letter, a discussion of the Mayor's FY2011-2012 proposed budget.

05/10/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110613 [Hearing - Family Violence Comprehensive Report 2010]**Sponsor: Mirkarimi**

Hearing on the comprehensive report for the San Francisco Family Violence 2010.

05/10/11; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCE****110482 [Planning Code - Miscellaneous Technical Amendments]**

Ordinance amending the San Francisco Planning Code to: 1) correct clerical errors, make language revisions and update Sections 121.2, 134, 136.1, 142, 185, 201, 204.1, 204.2, 205, 205.1, 205.3, 207.2, 209.3, 217, 243, 303, 309, 311, 312, 317, 602.25, 602.26, 607.1, and various Sections and Tables in Articles 7 and 8; and 2) adopting findings, including findings under the California Environmental Quality Act, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

04/28/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/9/2011.

PROPOSED RESOLUTIONS

110485 [Official Advertising - FY2011-2012]

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2011-2012. (Office of Contract Administration)

05/02/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110487 [Contract Amendment - En Pointe Technology Sales Inc. - Not to Exceed \$28,000,000]

Resolution authorizing the Office of Contract Administration to enter into the First Amendment between the City and En Pointe Technology Sales, Inc. (En Pointe, part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from \$24,000,000 to \$28,000,000 and update certain standard contractual clauses. (Office of Contract Administration)
(Fiscal Impact.)

04/28/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a housing bond that will fund:

- 1. Affordable housing development including affordable family housing, transit-oriented development to meet the region's Sustainable Communities Strategies goals.*
- 2. Upgrades to single-family homes including seismic safety retrofits, green energy production and energy efficiency measures, and bringing buildings up to code.*
- 3. Down payment assistance for first-time homebuyers and homebuyers wishing to purchase after a foreclosure.*
- 4. Silent loans for homeowners at-risk of default and foreclosure.*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southwest corners of Fillmore and Post

Southeast corner of Stanyan and Parnassus

Southwest corner of Divisadero and Sutter

Northeast corner of 6th Avenue and Judah

2821 California

1825 Post

Southwest corner of Hayes and Divisadero

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

Northwest corner of 6th Avenue and Irving

Northwest corner of Funston and Irving

San Francisco Chronicle:

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Northeast corner of Frederick and Stanyan

Southwest corner of 5th Avenue and Irving

Southwest corner of Haight and Clayton

Southeast corner of Divisadero and Hayes

Approximately 1304 Hayes

Southwest corner of California and Fillmore

Southwest corner of California and Divisadero

Northwest corner of 6th Avenue and Irving

Southeast corner of Haight and Masonic

Southwest corner of Judah and 9th Avenue

Southeast corner of Cole and Haight

Southeast corner of Broderick and Oak

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Northwest corner of 5th Avenue and Irving

Southwest corner of McAllister and Divisadero

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Broderick and Oak
Southwest corner of Broderick and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of California and Divisadero
2821 California
1825 Post
Southeast corner of Webster and Post
Southwest corner of Parnassus and Stanyan
Southwest corner of Fillmore and Sutter
Southwest corner of Waller and Cole
Northeast corner of Cole and Haight
Southwest corner of Judah and 9th Avenue

Advertiser

Southwest corner of Arguello and Irving
Southwest corner of California and Divisadero

Jobs and Careers

Northwest corner of Judah and 9th Avenue
1825 Post
WritingClass.com
2821 California

USA Today

Northwest corner of Funston and Irving

Real Estate Times

2821 California

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes

Northeast corner of Broderick and Hayes
Southeast corner of Fell and Scott
Approximately 1440 Fillmore
Southwest corner of McAllister and Divisadero
Opposite of 2570 Pine
Northeast corner of Oak and Buchanan
Southeast corner of Buchanan and Waller
Southwest corner of Fell and Buchanan

Bus Shelters

Opposite of 950 Fillmore
Northeast corner of Parnassus and Shrader
Southwest corner of Haight and Buena Vista East
Southwest corner of Haight and Pierce
Southwest corner of Fillmore and Hayes
Southwest corner of Scott and Hayes
Approximately 1304 Hayes
Southeast corner of Divisadero and Hayes

Emergency Boxes

Northeast corner of 3rd Avenue and Irving
Northeast corner of Frederick and Cole

Southwest corner of Lyon and Oak
Northwest corner of Pierce and Sutter
Southwest corner of Grove and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Northeast corner of 2nd Avenue and Irving
639 Frederick
Northwest corner of Judah and 7th Avenue
Northwest corner of Broderick and Hayes
Southwest corner of Waller and Fillmore

Mailboxes
Southeast corner of Broderick and California
Southeast corner of Frederick and Stanyan

Street Walls and Overpasses
Columns at Willard and Frederick entrance to Kezar Stadium
Opposite 126 Irving
South facing wall, Fillmore Mini-Park

Curbstones
Southwest corner of 18th Avenue and Irving
Southwest corner of 9th Avenue and Irving

Fire Hydrants
Southeast corner of Oak and Lyon
Southeast corner of Fillmore and Grove
Northeast corner of Parnassus and Shrader

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Sidewalk Dumping
1485 Oak
1816 Broderick

Dangerous Sidewalks
30 Irving
2045 Sutter

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Southwest corner of Haight and Buchanan
242 Haight
610 Buchanan
418 Haight

208 Scott
1751 Fulton
546 Haight
542 Haight
867 McAllister
Northeast corner of Laguna and McAllister
785 Fulton
485 Oak
Northwest corner of Hayes and Buchanan
Approximately 705 Buchanan
108 Webster
689 Frederick
960 Stanyan
Approximately 1101 Shrader
Northeast corner of Parnassus and Shrader
1655 Oak
1387 Oak
Approximately 1311 Oak
1359 Hayes
1309 Hayes
1241 Grove
1143 Fell
Approximately 885 Page
579 Waller
505 Waller
2729 Pine
Opposite 950 Fillmore

Wood Poles
Northwest corner of Fell and Fillmore
1309 Hayes
1069 Oak

Concrete Poles
760 Webster
Approximately 1280 Oak
Approximately 1250 Oak

In Memoriams

Omar Ahmad – Entire Board
James Hudson – Supervisor Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:49 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 21, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 17, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

Rules Committee

Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday

1:00 PM

Wednesday

10:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 22

Members Present: John Avalos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:15 p.m. On the call of the roll, Supervisor Campos was noted absent. There was a quorum.

Supervisor Campos Excused from Voting

Supervisor Mar, seconded by Supervisor Farrell, moved that Supervisor Campos be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of April 12, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

- 110437 [Appropriating \$6,209,064 of General Fund Reserve and Re-Appropriating \$2,821,843 for Salaries, Disability, and Workers' Compensation - Sheriff's Department for FY2010-2011]**

Sponsor: Mayor

Ordinance appropriating \$6,209,064 of General Fund Reserve and re-appropriating \$2,821,843 of expenditure contingency and debt service savings to fund salary expenditures due to fewer retirements than anticipated, disability pay, and workers' compensation claims in the Sheriff's Department for Fiscal Year 2010-2011.
(Fiscal Impact)

Ordinance No. 81-11

FINALLY PASSED

Recommendation of the Budget and Finance Sub-Committee

- 110436 [Public Employment - Office of the Public Defender]**

Sponsor: Mirkarimi

Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of 0.25 Social Worker in the Office of the Public Defender.

Ordinance No. 80-11

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

- 110518 [Accept and Expend Grant - Cesar Chavez Sewer System Improvement - \$669,000]**

Sponsor: Cohen

Resolution authorizing the Public Utilities Commission to accept and expend a grant administered by the U.S. Environmental Protection Agency in the amount of \$669,000 for the Cesar Chavez Sewer System Improvement Project.

Resolution No. 209-11

ADOPTED

110519 [Accept and Expend Grant - Brown Grease Recovery and Biofuel Demonstration Project - \$951,500]**Sponsor: Mar**

Resolution authorizing the Public Utilities Commission to retroactively accept and expend a grant administered by the U.S. Department of Energy in the amount of \$951,500 to conduct a brown grease recovery and biofuel demonstration project.

Resolution No. 210-11**ADOPTED****Recommendations of the Public Safety Committee****110508 [Accept and Expend Grant - Homeland Security Grant Program - \$2,094,667]****Sponsor: Chiu**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a Homeland Security Grant Program Grant in the amount of \$2,094,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, for disaster planning.

Resolution No. 205-11**ADOPTED****110509 [Accept and Expend Grant - Medical Examiner Accreditation Support - \$116,589]****Sponsor: Chu**

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$116,589 from the Paul Coverdell Forensic Science Improvement Grants Program of the California Emergency Management Association for accreditation support.

Resolution No. 206-11**ADOPTED****Recommendations of the Rules Committee****110333 [Settlement of Lawsuit - Michael Pinkston - \$30,000]**

Ordinance authorizing the settlement of lawsuit filed by Michael Pinkston against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 24, 2010, in San Francisco Superior Court, Case No. CGC-10-498074, entitled Michael Pinkston v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]

Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate of Xiu Fang Huang against the City and County of San Francisco for \$1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

110480 [Settlement of Unlitigated Claim - Alain Jimenez - \$105,000]

Resolution approving the settlement of the unlitigated claim filed by Alain Jimenez against the City and County of San Francisco for \$105,000; claim was filed on June 11, 2010. (City Attorney)

Resolution No. 204-11

ADOPTED

110492 [Appointment, Eastern Neighborhood Citizens Advisory Committee - Oscar Grande]

Motion appointing Oscar Grande, term ending October 19, 2011, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Oscar Grande, seat 9, succeeding Matthias Mormino, resigned, must be nominated by District 9 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2011.

Motion No. M11-75

APPROVED

110493 [Appointment, Commission on the Aging Advisory Council - Vera Haile]

Motion appointing Vera Haile, term ending March 31, 2013, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Vera Haile, seat 8, succeeding herself, term expired, must be nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2013.

Motion No. M11-76

APPROVED

110498 [Appointments, Local Homeless Coordinating Board - Wendy Phillips, Kim Armbruster and Erick Brown]

Motion appointing Wendy Phillips, Kim Armbruster, and Erick Brown, terms ending October 21, 2014, to the Local Homeless Coordinating Board. (Clerk of the Board)

Wendy Phillips, seat 2, succeeding herself, term expired, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Kim Armbruster, seat 3, succeeding Barbara Blong, resigned, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Erick Brown, seat 4, succeeding himself, term expired, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Motion No. M11-77

APPROVED

110500 [Appointment, Pedestrian Safety Advisory Committee - Kenneth Frausto]

Motion appointing Kenneth Frausto, term ending March 28, 2012, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Kenneth Frausto, seat 1, succeeding Catherine Liddell, resigned, must be a representative from a pedestrian safety organization, for the unexpired portion of a two-year term ending March 28, 2012.

Motion No. M11-78

APPROVED

110535 [Appointments, Western SoMa Citizens Planning Task Force - Jim Tatarazuk and Michael Ferara]

Motion appointing Jim Tatarazuk and Michael Ferara, terms ending December 31, 2011, to the Western SoMa Citizens Planning Task Force. (Clerk of the Board)

Jim Tatarazuk, seat 15, succeeding Tom Radulovich, resigned, must be a transportation advocate, for the unexpired portion of a three-year term ending December 31, 2011.

Michael Ferara, seat 22, succeeding Lynn Valente, resigned, must be a resident of the area defined as "SoMa West" by the Planning Department, for the unexpired portion of a three-year term ending December 31, 2011.

Motion No. M11-79

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

- 110505 [Adopting Findings Related to the Conditional Use Appeal - 1268 Lombard Street]**
Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18279, approving Conditional Use Application 2009.1029C on property located at 1268 Lombard Street. (Clerk of the Board)

Motion No. M11-80

APPROVED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Recommendation of the Budget and Finance Sub-Committee

- 110330 [Administrative Code - Public Work Construction Contractor/Subcontractor Appeal Hearing Procedures for Non-Compliance with Prevailing Wage Requirements]**
Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code, Section 6.22, Public Work Construction Contract Terms and Working Conditions, by amending Subsection 6.22(E)(8) to further delineate due process procedures for administrative hearings on appeals by public work contractors and/or subcontractors from a Certification of Forfeiture made by the City's Labor Standards Enforcement Officer or responsible department head for non-compliance with prevailing wage requirements; and to additionally conform distribution of forfeiture provisions to State law.

Ordinance No. 79-11

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Recommendation of the Land Use and Economic Development Committee**110114 [Environment Code - Yellow Pages Distribution Pilot Program]**

Sponsors: Chiu; Mar, Mirkarimi, Wiener and Cohen

Ordinance adding Chapter 20 to the Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages phone directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: 1) there is personal delivery of the directory to a human being, 2) there has been a request for delivery of the directory to the residence or business, or 3) directories are maintained for pick-up at a distribution center or business open to the public; mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages phone directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.
(Economic Impact.)

Ordinance No. 78-11

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

Excused: 1 - Campos

NEW BUSINESS**Recommendations of the Budget and Finance Sub-Committee****110553 [Appropriating \$1,925,000 of General Fund Reserve and \$360,000 of Public Library Preservation Fund Balance to Various Departments for Kirola Litigation Expenses in FY2010-2011]**

Sponsor: Mayor

Ordinance appropriating \$1,925,000 from the General Fund Reserve and \$360,000 from the Public Library Preservation Fund available fund balance to the Department of Public Works, the Recreation and Park Department, the Library Department, and the Mayor's Office of Disability for litigation expenses related to the United States District Court case between Ivana Kirola et. al. v. City and County of San Francisco for alleged American with Disabilities Act violations in FY2010-2011.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110464 [Construction Management Services Agreement Amendment - Laguna Honda Hospital Replacement Program - \$16,196,764]**Sponsor: Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the Construction Management Services Agreement with Cooper Puga Management, Inc., for the Laguna Honda Hospital Replacement Program changing the amount from \$15,303,429 to \$16,196,764.

Resolution No. 202-11**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110479 [Approval of Modification No. 1 of Lease and Use Agreement - Emirates at San Francisco International Airport]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0084 with Emirates for lounge space in the International Terminal, Boarding Area A, of San Francisco International Airport. (Airport Commission)

Resolution No. 203-11**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110557 [Multifamily Housing Revenue Bonds - Fell Street Apartments - Not to Exceed \$8,100,000]**Sponsor: Mirkarimi**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$8,100,000 for Fell Street Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$40,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$8,100,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Resolution No. 201-11**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110561 [Accept and Expend - Emergency Shelter Grants Program - \$1,026,169]**Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 Emergency Shelter Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 Emergency Shelter Grants Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$1,253,445 and to expend Reprogrammed Funds in the amount of \$124,000.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chu, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 14, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110562 [Accept and Expend - Community Development Block Grant - \$20,620,744]**Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$18,583,517 and to expend Program Income and Reprogrammed Funds in the amount of \$1,966,471.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chu, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 14, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110563 [Accept and Expend Grant - HOME Program - \$8,006,360]**Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$7,576,727, and to expend Program Income in the amount of \$430,000.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chu, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 14, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

From the Budget and Finance Committee Without Recommendation**110337 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]****Sponsors: Mirkarimi; Campos, Mar and Chiu**

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A, by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to Stock-Based Compensation.

Supervisor Chiu requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

(Fiscal Impact, Economic Impact.)

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to June 14, 2011. The motion FAILED by the following vote:

Ayes: 4 - Chu, Cohen, Elsbernd, Farrell

Noes: 6 - Avalos, Chiu, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Avalos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

Excused: 1 - Campos

Recommendations of the Land Use and Economic Development Committee**110328 [CEQA Findings - Treasure Island/Yerba Buena Island Development Project]****Sponsor: Mayor**

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of Treasure Island/Yerba Buena Island, as envisioned in the Development Agreement for the Treasure Island/Yerba Buena Island Project Area.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110228 [General Plan Amendments - Treasure Island/Yerba Buena Island Development Project]**Sponsor: Mayor**

Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index, maps and figures in various elements, and by adopting and adding the Treasure Island/Yerba Buena Island Area Plan, in order to facilitate the development of Treasure Island/Yerba Buena Island as endorsed by the Board of Supervisors and the Mayor in 2006 and updated in 2010, and envisioned in the Treasure Island/Yerba Buena Island Development Agreement, adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Economic Impact.)

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110229 [Planning Code - Zoning - Treasure Island/Yerba Buena Island - Special Use District]**Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Treasure Island/Yerba Buena Island districts; amending Section 105 relating to height and bulk limits for Treasure Island/Yerba Buena Island; adding Section 249.52 to establish the Treasure Island/Yerba Buena Island Special Use District; adding Section 263.26 to establish the Treasure Island/Yerba Buena Island Height and Bulk District; amending the bulk limits table associated with Section 270 to refer to the Treasure Island/Yerba Buena Island Height and Bulk District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110227 [Zoning Map Amendment - Treasure Island/Yerba Buena Island Development Project]**Sponsor: Mayor**

Ordinance amending the Zoning Map of the City and County of San Francisco by adding new Sectional Map ZN14 to show the zoning designations of Treasure Island/Yerba Buena Island; adding new Sectional Map HT14 to establish the Height and Bulk District for Treasure Island/Yerba Buena Island; adding new Sectional Map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Economic Impact.)

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110230 [Subdivision Code - Treasure Island/Yerba Buena Island]**Sponsor: Mayor**

Ordinance amending the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island/Yerba Buena Island Project Site described in the Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, relative to Naval Station Treasure Island, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110517 [Treasure Island Transportation Implementation Plan]**Sponsor: Mayor**

Resolution approving the Treasure Island Transportation Implementation Plan; and adopting findings under the California Environmental Quality Act.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

From the Land Use and Economic Development Committee and the Budget and Finance Sub-Committee Without Recommendation

110226 [Development Agreement - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Ordinance approving a Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, for certain real property located within Treasure Island/Yerba Buena Island; exempting certain sections of Administrative Code Chapter 6, Chapter 14B and Chapter 56; and adopting findings, including findings under the California Environmental Quality Act, findings of consistency with the City's General Plan and with the Eight Priority Policies of Planning Code Section 101.1(b), and findings relating to the formation of infrastructure financing districts.

(Fiscal Impact, Economic Impact.)

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110291 [Disposition and Development Agreement and Interagency Cooperation Agreement - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Resolution approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located on Treasure Island/Yerba Buena Island; approving an Interagency Cooperation Agreement between the City and the Treasure Island Development Authority; and adopting findings, including findings that the agreements are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1, and findings under the California Environmental Quality Act.

(Economic Impact, Fiscal Impact.)

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110290 [Economic Development Conveyance Memorandum of Agreement - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Resolution approving the Economic Development Conveyance Memorandum of Agreement for the transfer of former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority; adopting findings under the California Environmental Quality Act.

(Fiscal Impact, Economic Impact.)

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110289 [Homeless Development Initiative Agreement - Treasure Island/Yerba Buena Island]**Sponsor: Mayor**

Resolution approving the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative; adopting findings, including findings that the agreement is consistent with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1 and findings under the California Environmental Quality Act.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Recommendation of the Land Use and Economic Development Committee**110340 [Public Trust Exchange Agreement - Treasure Island/Yerba Buena Island]****Sponsor: Mayor**

Resolution approving the Public Trust Exchange Agreement between the Treasure Island Development Authority and the California State Lands Commission in furtherance of the Treasure Island/Yerba Buena Island Project; adopting findings under the California Environmental Quality Act.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Recommendation of the Public Safety Committee**110025 [Environment Code - Safe Drug Disposal Information]****Sponsors: Mirkarimi; Campos**

Ordinance amending the San Francisco Environment Code by adding Sections 2250 through 2254, to require any business selling prescription drugs to the public to post display materials explaining how to safely and lawfully dispose of unused prescription drugs; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Recommendations of the Rules Committee**110023 [Campaign and Governmental Conduct Code - Allowing a Former Appointed Mayor to Obtain City Employment]****Sponsors:** Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110294 [Confirming Appointment, Municipal Transportation Agency Board of Directors - Joél Ramos]**Sponsor:** Mayor

Motion confirming the Mayor's appointment of Joél Ramos to the Municipal Transportation Agency Board of Directors, term ending March 1, 2015.

Motion No. M11-81**APPROVED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

110395 [Confirming Appointment, Port Commission - Doreen Woo Ho]**Sponsor:** Mayor

Motion confirming the Mayor's appointment of Doreen Woo Ho to the Port Commission, term ending May 1, 2014.

Motion No. M11-82**APPROVED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****110511 [Public Hearing - Purchase/Sale Agreement and Ground Lease - East Side of Arelious Walker Drive, at Gilman, and 5800 Third Street]**

Public hearing to consider the proposed Purchase and Sale Agreement between the Redevelopment Agency of the City and County of San Francisco (San Francisco Redevelopment Agency) and McCormack Baron Salazar, Inc., a Missouri corporation (MBS), for the sale to MBS of Assessor's Parcel No. 4884, Lot No. 27, located at the east side of Arelious Walker Drive, at Gilman Avenue, conditioned upon MBS's receipt of a Choice Neighborhoods Initiative Grant Award from the U.S. Department of Housing and Urban Development for the revitalization of Alice Griffith Public Housing and to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 5800 Third Street, Assessor's Parcel No. 5431A-042, to Bayview Supportive Housing, LLC., a California limited liability company, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Supervisor Cohen provided an overview and introduced Olson Lee (Redevelopment Agency) who provided additional details on the proposed resolutions. Lorelei King; Gerald Brown; spoke in support of the resolutions. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report**110512 [Purchase and Sale Agreement - Redevelopment Agency for the Revitalization of the Alice Griffith Public Housing Site - East Side of Arelious Walker Drive at Gilman Avenue]****Sponsor: Cohen**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to sell land on the east side of Arelious Walker Drive, at Gilman Avenue, adjacent to the Alice Griffith Public Housing Site, Assessor's Block No. 4884, Lot No. 27, to McCormack Baron Salazar, Inc., a Missouri corporation, for the sole purpose of performing predevelopment and development work at the property for the revitalization of the Alice Griffith Public Housing Site, a HOPE SF development program that will provide one-for-one replacement of all Alice Griffith public housing units within a larger mixed-income community.

Resolution No. 207-11**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Campos

110513 [Ground Lease - Redevelopment Agency - Carroll Street Senior Community - 5800 Third Street]**Sponsor: Cohen**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 5800 Third Street, Lot No. 3, northwest corner of the larger 5800 Third Street site, Assessor's Block No. 5431A, Lot No. 042 with Bayview Supportive Housing, LLC, a California limited liability company, for a term of 55 years for the purpose of developing housing for very low-income senior households.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****110515 [Public Hearing - Ground Lease Agreement - 1075 LeConte Avenue, Commonly Known as 6600 Third Street]****Sponsor: Cohen**

Public hearing to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 1075 Le Conte Avenue, Assessor's Parcel No. 009-5476, commonly known as 6600 Third Street (Property), to Third & LeConte Associates, LP, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Supervisor Cohen provided an overview and introduced Olson Lee (Redevelopment Agency) who provided additional details on the proposed resolutions. Ace Washington; Edmond Juicye; Walter Paulson; Douglas Yep; expressed various concerns. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING**Committee of the Whole Adjourn and Report**

110516 [Ground Lease - Redevelopment Agency Land - 1075 LeConte Avenue, Commonly Known as 6600 Third Street]**Sponsor: Cohen**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1075 Le Conte Avenue, Assessor's Block No. 009, Lot No. 5476, commonly known as 6600 Third Street with Third and LeConte Associates, LP, a California limited partnership, for a term of 70 years for the purpose of developing housing for formerly homeless individuals and families.

Resolution No. 208-11**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Chiu, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Ed Reiskin, Department of Public Works Director, in recognition of Public Works Week.

SMALL BUSINESS MONTH

Supervisors introduced and welcomed Luke O'Brian, President, Small Business Commission, and presented Certificates of Honor to individuals in recognition of Small Business Month, their accomplishments, and their continued community support as referenced below:

Supervisor Cohen recognized Everest Waterproofing;

Supervisor Chu recognized Ocean Park Motel;

Supervisor Chiu recognized Liguria Bakery;

Supervisor Avalos recognized Caffè D'Melanio;

Supervisor Avalos, representing on behalf of Supervisor Campos, recognized El Rio;

Supervisor Wiener recognized Orphan Andy's;

Supervisor Mirkarimi recognized Café Hana;

Supervisor Mar recognized Cinderella Bakery;

Supervisor Kim recognized Passion Café and Moya;

Supervisor Farrell recognized Patxi's Pizza;

Supervisor Elsbernd recognized Zanze's Cheesecake; and

Jason Elliott, representing on behalf of Mayor Lee, recognized La Gallinita.

Supervisor Chiu introduced, welcomed, and presented Certificates of Honor to Martha Yanez and Jane Gong (Small Business Administration) in recognition of their continued community support.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Edmond Juicye; expressed various concerns.
Peter Wood; expressed concerns relating to taxi cab meter increase.
Barbara Arnold; spoke in support of Lyme Awareness Month.
Female Speaker; spoke in support of Lyme Awareness Month.
Robin Cropp; spoke in support of Lyme Awareness Month.
Walter Paulson; shared in song certain concerns with the Board.
Summer Shields; expressed support for House Resolution 1489.
Joel Wright; expressed support for House Resolution 1489.
Michael Molberg; expressed support for House Resolution 1489.
Male Speaker; expressed support for House Resolution 1489.
Douglas Yep; expressed various concerns.
Male Speaker; expressed concerns relating to taxi cab meter increase.
John Caldera; expressed support for the Filipino Veterans Fairness Act.
Steve Nosell; expressed support for the Filipino Veterans Fairness Act.
Reginald Maldonado; expressed support for the Filipino Veterans Fairness Act.
Ace Washington; expressed various concerns.
Male Speaker; expressed various religious concerns.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110602 [Public Works Week - May 15-21, 2011]

Sponsor: Chiu

Resolution proclaiming May 15 through May 21, 2011, as Public Works Week in the City and County of San Francisco, commending the women and men of the Department of Public Works, and calling upon all of its residents, businesses, and neighborhood and merchant organizations to work in collaboration with the department as it enhances the quality of life in San Francisco.

Resolution No. 212-11

ADOPTED

110604 [Apply for Grant - Installation of Rubber Sidewalks - Not to Exceed \$12,600]

Sponsor: Cohen

Resolution authorizing the City and County of San Francisco to apply for grant funds in the amount up to, but not to exceed, \$12,600 from the California Department of Resources Recycling and Recovery, Tire-Derived Product Grant Program for the purpose of installing rubber sidewalks and preserving mature trees.

Resolution No. 213-11

ADOPTED

110605 [National Safe Boating Week - May 20-29, 2011]**Sponsor: Elsbernd**

Resolution proclaiming May 20-29, 2011, as "National Safe Boating Week" in the City and County of San Francisco.

Resolution No. 214-11**ADOPTED****110606 [Accept and Expend Grant - Pesticide Use Reporting - \$2,528]****Sponsor: Mar**

Resolution authorizing the Department of Public Health to accept and expend a grant (Agreements #11-C0035) in the amount of \$2,528 from the California Department of Pesticide Regulation to fund the program entitled "Pesticide Use Reporting" for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Resolution No. 215-11**ADOPTED****110607 [Accept and Expend Grant - Weed Management - \$16,757]****Sponsor: Mar**

Resolution authorizing the Department of Public Health to retroactively accept and expend a state grant (Agreement #10-0794) in the amount of \$16,757 from the California Department of Food and Agriculture to fund the program entitled "Weed Management" for the period of January 1, 2011, through December 31, 2011, and waiving indirect costs.

Resolution No. 216-11**ADOPTED****110608 [Accept and Expend Grant - Petroleum Products Compliances and Weighmaster Enforcement Program - \$8,250]****Sponsor: Mar**

Resolution authorizing the Department of Public Health to accept and expend a grant (Agreements #11-0036-SA) in the amount of \$8,250 from the California Department of Food and Agriculture to fund the program entitled "Petroleum Products Compliances and Weighmaster Enforcement Program" for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Resolution No. 217-11**ADOPTED****110609 [St. Paul's Centennial Celebration Day - May 29, 2011]****Sponsors: Wiener; Elsbernd**

Resolution honoring the centennial of St. Paul's Catholic Church and proclaiming May 29, 2011, to be "St. Paul's Centennial Celebration Day" in the City and County of San Francisco.

*Supervisor Elsbernd requested to be added as a co-sponsor.***Resolution No. 218-11****ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 110601 be severed so that it may be considered separately.

110601 [Supporting Filipino Veterans Fairness Act]

Sponsors: Chiu; Mar, Cohen, Kim, Mirkarimi and Avalos

Resolution supporting the Filipino Veterans Fairness Act of 2011, House of Representative Bill 210.

Supervisors Mar, Cohen, Kim, Mirkarimi, and Avalos requested to be added as co-sponsors.

Resolution No. 211-11

ADOPTED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Excused: 1 - Campos

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****110629 [Memorandum of Understanding, Amendment No. 1 - Multiple Unions (Crafts Coalition)]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110630 [Memorandum of Understanding, Amendment No. 1 - San Francisco Deputy Probation Officers' Association]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110631 [Memorandum of Understanding, Amendment No. 4 - San Francisco Firefighters, Local 798, (Unit 1)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110632 [Memorandum of Understanding, Amendment No. 4 - San Francisco Firefighters, Local 798, (Unit 2)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110633 [Memorandum of Understanding, Amendment No. 3 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110634 [Memorandum of Understanding, Amendment No. 4 - International Federation of Professional and Technical Engineers, Local 21]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110635 [Memorandum of Understanding, Amendment No. 1 - San Francisco Institutional Police Officers' Association]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110636 [Memorandum of Understanding, Amendment No. 1 - Municipal Attorneys' Association]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110637 [Memorandum of Understanding, Amendment No. 5 - Municipal Executives' Association]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110638 [Memorandum of Understanding, Amendment No. 3 - Municipal Executives' Association, Fire]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, Fire, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110639 [Memorandum of Understanding, Amendment No. 3 - Municipal Executives' Association, Police]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, Police, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110640 [Memorandum of Understanding, Amendment No. 1 - Operating Engineers, Local 3]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110641 [Memorandum of Understanding, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110642 [Memorandum of Understanding, Amendment No. 3 - San Francisco Police Officers' Association (Units P-1 and P-2A)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 and P-2A), by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110643 [Memorandum of Understanding, Amendment No. 3 - San Francisco Police Officers' Association (Unit P-2B)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110644 [Memorandum of Understanding, Amendment 1 - Service Employees International Union, Local 1021]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110645 [Memorandum of Understanding, Amendment No. 1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, Supervising Probation Officers]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110646 [Memorandum of Understanding, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 856 (Multi-Unit), by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110647 [Memorandum of Understanding, Amendment No. 1 - Transport Workers Union of America, Local 200]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110648 [Memorandum of Understanding, Amendment No. 1 - Transport Workers Union of America, Local 250-A (Non-MTA 7410)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110649 [Memorandum of Understanding, Amendment No. 1 - Transport Workers Union of America, Local 250-A (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110650 [Memorandum of Understanding, Amendment No. 5 - Union of American Physicians and Dentists (Unit 8-CC)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110651 [Memorandum of Understanding, Amendment No. 5 - Union of American Physicians and Dentists (Unit 11-AA)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110652 [Memorandum of Understanding, Amendment No. 3 - San Francisco District Attorney Investigators' Association]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by extending the term of the Memorandum of Understanding through June 30, 2012, and implementing specified terms and conditions of employment for FY2011-2012.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110653 [Compensation for Unrepresented Employees]**Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment effective July 1, 2011.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110654 [General Obligation Bond Election - Road Repaving and Street Safety - \$248,000,000]

Sponsors: Mayor; Chiu, Wiener, Avalos, Campos, Cohen, Kim, Mar and Mirkarimi

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 8, 2011, for the purpose of submitting to the voters a proposition to incur the following bonded debt of the City and County: \$248,000,000 to finance the repaving and reconstruction of roads, the rehabilitation and seismic improvement of street structures, the replacement of sidewalks, the installation and renovation of curb ramps, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and the construction, rehabilitation and renovation of traffic infrastructure and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed thereby by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code Section 53410; incorporating the provisions of San Francisco Administrative Code Sections 5.30 - 5.36; and waiving the time requirements specified in San Francisco Administrative Code Section 2.34.

(Fiscal Impact)

05/17/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110656 [Environment Code - Cell Phone Disclosure Requirements]

Sponsor: Avalos

Ordinance amending the San Francisco Environment Code Sections 1101 through 1105 to require cell phone retailers to provide their customers with information regarding how to limit exposure to the radiofrequency energy emitted by cell phones in place of the mandatory disclosure of Specific Absorption Rate Values for cell phone models.

05/17/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/16/2011. (Referred to Planning Department for environmental review and to the Small Business Commission for comment and recommendation.)

110657 [Building Code - Permit Exemption for Cartouches]

Sponsor: Wiener

Ordinance amending the San Francisco Building Code of the City and County of San Francisco Section 106A.2 to exempt cartouches from permit requirements; and adopting environmental findings.

05/17/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/16/2011.

110658 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]**Sponsors:** Mirkarimi; Mar and Avalos

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/17/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions**110655 [General Obligation Bonds - Road Repaving and Street Safety - \$248,000,000]****Sponsors:** Mayor; Chiu, Wiener, Avalos, Campos, Cohen, Kim, Mar and Mirkarimi

Resolution determining and declaring that the public interest and necessity demand the repaving and reconstruction of roads, the rehabilitation and seismic improvement of street structures, the replacement of sidewalks, the installation and renovation of curb ramps, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and the construction, rehabilitation, and renovation of traffic infrastructure and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$248,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County of San Francisco and will require incurring bonded indebtedness; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; providing for the City and County of San Francisco to declare its official intent to reimburse prior expenditures; and waiving the time limits set forth in Administrative Code Section 2.34.

(Fiscal Impact.)

05/17/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110659 [Accept and Expend Grant - Port Security Grant Program - \$155,370]**Sponsor:** Cohen

Resolution authorizing the Police Department to retroactively accept and expend \$155,370 of FY2007 Supplemental Port Security Grant Program Funds (Grant No. 2007-T7-K274) from the Federal Emergency Management Agency.

05/17/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110660 [Accept and Expend Grant - Port Security Grant Program - \$1,863,920]**Sponsor:** Cohen

Resolution authorizing the Police Department to retroactively accept and expend \$1,863,920 of FY2010 Port Security Grant Program Funds (Grant No. 2010-PU-K050) from the Federal Emergency Management Agency.

05/17/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110661 [Accept and Expend Grant - Port Security Grant Program - \$458,000]**Sponsor: Cohen**

Resolution authorizing the Police Department to retroactively accept and expend \$458,000 of FY2008 Port Security Grant Program Funds (Grant No. 2008-GB-T8-K063) from the Federal Emergency Management Agency.

05/17/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110662 [Multifamily Housing Revenue Note in an Amount Not to Exceed \$41,000,000 and Various Agreements - Hunters View]**Sponsor: Cohen**

Resolution authorizing the execution and delivery of a multifamily housing revenue note, as defined herein, in an aggregate principal amount not to exceed \$41,000,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a borrower loan agreement; ratifying and approving any action heretofore taken in connection with the note and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

05/17/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110663 [Accept and Expend Grant - 17th and Folsom Street Park Project - \$2,700,000]**Sponsor: Kim**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant administered by the California State Parks and Recreation Department in the amount of \$2,700,000 for the 17th and Folsom Street Park Project.

05/17/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110664 [Contract - San Francisco AIDS Foundation - Housing and Urban Rent Subsidies Services]**Sponsor: Mayor**

Resolution approving a contract between the Department of Public Health and the San Francisco AIDS Foundation for rent subsidies services for people living with HIV/AIDS.
(Fiscal Impact)

05/17/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110667 [Authorizing the Use of Real Property Located at 701 Lombard Street - Joe DiMaggio Playground Master Plan Project]**Sponsor: Chiu**

Resolution authorizing the use of real property located at 701 Lombard Street (Assessor's Block No. 0074, Lot No. 001) for purposes consistent with the Joe DiMaggio Playground/North Beach Library Master Plan Project; adopting environmental findings and findings of consistency with the General Plan and City Planning Code Section 101.1.

05/17/11; ASSIGNED to Board of Supervisors.

110668 [Lyme Disease Awareness Month - May 2011]**Sponsors:** Kim; Campos

Resolution proclaiming May 2011 as Lyme Disease Awareness Month in the City and County of San Francisco.

05/17/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110669 [Opposing Taxi Fare Increase Without Improved Taxi Service]**Sponsors:** Wiener; Farrell and Cohen

Resolution opposing proposed taxi fare increase under consideration by the Municipal Transportation Agency in the absence of improved taxi service.

05/17/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**110425 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on a resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

05/17/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110665 [Committee of the Whole - Authorizing the Use of Real Property Located at 701 Lombard Street - Joe DiMaggio Playground Master Plan Project]**Sponsor:** Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on a resolution authorizing the use of real property located at 701 Lombard Street (Assessor's Block No. 0074, Lot No. 001) for purposes consistent with the Joe DiMaggio Playground/North Beach Library Master Plan Project; adopting environmental findings and findings of consistency with the General Plan and City Planning Code Section 101.1.

05/17/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110670 [Suspending Board Rule 4.29 - Time of Public Hearing(s) on Appeal(s) on June 7, 2011]**Sponsor:** Chiu

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) may be scheduled at any time during the Board meeting of June 7, 2011.

05/17/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110671 [Extension of Deferred Retirement Option Program]Motion extending the Deferred Retirement Option Program. (Clerk of the Board)
(Fiscal Impact.)

110672 [Committee of the Whole - Amending Zoning Designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01)]**Sponsor: Chiu**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on an ordinance amending the San Francisco Zoning Map by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street from the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

05/17/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**110426 [Public Hearing - Report of Assessment Costs for Blighted Properties]**

Public hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

110666 [Public Hearing - Authorizing the Use of Real Property Located at 701 Lombard Street - Joe DiMaggio Playground Master Plan Project]**Sponsor: Chiu**

Public hearing to consider the proposed Resolution authorizing the use of real property located at 701 Lombard Street (Assessor's Block No. 0074, Lot No. 001) for purposes consistent with the Joe DiMaggio Playground/North Beach Library Master Plan Project; adopting environmental findings and findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

05/17/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110673 [Public Hearing - Zoning Map Amendment - 701 Lombard Street]**Sponsor: Chiu**

Public hearing to consider the proposed Ordinance amending the San Francisco Zoning Map, by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street from the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

05/17/11; ASSIGNED to Board of Supervisors.

110674 [Hearing - Interagency Plan Implementation Committee Annual Progress and Planning Code Development Impact Fee Reports]**Sponsor: Mar**

Hearing on the Interagency Plan Implementation Committee Annual Progress Report pursuant to the San Francisco Administrative Code Article 36 and the Development Impact Fee Report pursuant to the San Francisco Planning Code Section 409.

05/17/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES****110530 [Changing the Official Sidewalk Width - Harrison Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1589 to change the official sidewalk width on south side of Harrison Street between Fremont and Beale Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

05/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS**110427 [Report of Assessment Costs for Blighted Properties]**

Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

05/02/11; ASSIGNED to Board of Supervisors.

110528 [Feeder Agreement - BART]

Resolution approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2009, to June 30, 2010. (Municipal Transportation Agency)

05/02/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110529 [Outreach Advertising and Neighborhood Outreach Advertising - FY2011-2012]

Resolution designating El Reportero to be the outreach newspaper of the City and County for the Hispanic community, Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual community, and the West Portal Monthly to be the neighborhood outreach newspaper for the West Portal neighborhood, to provide outreach advertising for FY2011-2012. (Office of Contract Administration)

05/09/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:44 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 12, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 24, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

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MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

Rules Committee

Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday

1:00 PM

Wednesday

10:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

10:00 AM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 23

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of April 15, 2011, and Special Board Meeting Minutes of April 19, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

110333 [Settlement of Lawsuit - Michael Pinkston - \$30,000]

Ordinance authorizing the settlement of lawsuit filed by Michael Pinkston against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 24, 2010, in San Francisco Superior Court, Case No. CGC-10-498074, entitled Michael Pinkston v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 83-11

FINALLY PASSED

110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]

Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate of Xiu Fang Huang against the City and County of San Francisco for \$1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 82-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

110207 [Affirming Certification of the Final Environmental Impact Report - Parkmerced Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Motion No. M11-83

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110208 [Reversing Certification of the Final Environmental Impact Report - Parkmerced Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110209 [Preparation of Findings to Reverse Certification of the Final Environmental Impact Report - Parkmerced Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

From the Board**110345 [Affirming the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**

Motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 28, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110346 [Reversing the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion reversing the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 28, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110347 [Preparation of Findings to Reverse the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 28, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation**110337 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]****Sponsors: Mirkarimi; Campos, Mar and Chiu**

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A, by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to Stock-Based Compensation.
(Fiscal Impact, Economic Impact.)

Ordinance No. 87-11**FINALLY PASSED by the following vote:**

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

Recommendation of the Budget and Finance Sub-Committee**110553 [Appropriating \$1,925,000 of General Fund Reserve and \$360,000 of Public Library Preservation Fund Balance to Various Departments for Kirola Litigation Expenses in FY2010-2011]****Sponsor: Mayor**

Ordinance appropriating \$1,925,000 from the General Fund Reserve and \$360,000 from the Public Library Preservation Fund available fund balance to the Department of Public Works, the Recreation and Park Department, the Library Department, and the Mayor's Office of Disability for litigation expenses related to the United States District Court case between Ivana Kirola et. al. v. City and County of San Francisco for alleged American with Disabilities Act violations in FY2010-2011.
(Fiscal Impact.)

Ordinance No. 84-11**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Public Safety Committee**110025 [Environment Code - Safe Drug Disposal Information]****Sponsors: Mirkarimi; Campos**

Ordinance amending the San Francisco Environment Code by adding Sections 2250 through 2254, to require any business selling prescription drugs to the public to post display materials explaining how to safely and lawfully dispose of unused prescription drugs; and making environmental findings.

Ordinance No. 85-11**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee**110023 [Campaign and Governmental Conduct Code - Allowing a Former Appointed Mayor to Obtain City Employment]****Sponsors:** Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.

Ordinance No. 86-11**FINALLY PASSED** by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS**Recommendations of the Budget and Finance Committee****110507 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2010-2011 - \$29,494,813]****Sponsor:** Mayor

Ordinance recognizing state revenue losses of \$18,484,060 at San Francisco General Hospital and appropriating \$29,494,813 including \$6,543,813 of General Fund reserve, \$14,851,000 of surplus Laguna Honda Hospital revenues, \$1,925,000 of surplus San Francisco General Hospital revenues, de-appropriating \$6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including \$19,653,813 at San Francisco General Hospital and \$9,841,000 at Laguna Honda Hospital for FY2010-2011. (Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110541 [Airport Lease Agreement - Advanced Wireless Group, LLC]

Resolution approving the Lease Agreement for Operation and Maintenance of Public Wireless-Fidelity System at San Francisco International Airport between Advanced Wireless Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 219-11**ADOPTED** by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110542 [Airport Lease Agreement - J. Avery Enterprises]

Resolution approving Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0192 with J. Avery Enterprises, dba Klein's Deli, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 220-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Government Audit and Oversight Committee**110438 [Agreement - Administration/Management of Ocean Avenue Community Benefits District]**

Sponsor: Avalos

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Ocean Avenue Community Benefits District," pursuant to California Streets and Highways Code Section 36651.

Resolution No. 221-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee**110397 [General Plan Amendments - 2009 Housing Element Update]**

Ordinance amending the San Francisco General Plan by adopting the 2009 Housing Element as the Housing Element of the San Francisco General Plan; making findings, including environmental findings and findings of consistency with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to June 14, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Land Use and Economic Development Committee**110599 [Grant Easement to, and Acceptance of Easement Purchase and Sale Agreement and Delivery Truck Easement Agreement - Avalon Ocean Avenue, L.P. - Phelan Bus Loop]****Sponsor: Elsbernd**

Resolution approving the execution of an Easement Purchase and Sale Agreement, together with a Delivery Truck Easement Agreement, by and between the City and County of San Francisco, acting by and through the Municipal Transportation Agency, and Avalon Ocean Avenue, L.P., a Delaware Limited Partnership for the Phelan Bus Loop.

Resolution No. 222-11**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Kim, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Kate Sofis of SF MADE in recognition of SF MADE Week for 7 days of education, exploration, and innovation, designed to heighten local awareness and understanding of this critical economic and cultural asset.

Supervisor Chiu introduced, welcomed, and presented Certificates of Honor to Principal Judy Giampaoli (Francisco Middle School), Principal Yvonne Chong (Yick Wo Elementary School), Lorraine Perry (Marina Middle School), and Raphael Pau (Marina Middle School) in recognition of their accomplishments upon their retirements.

SPECIAL ORDER 4:00 P.M.**110474 [Hearing - Appeal of Determination of Exemption from Environmental Review - 1787 Union Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 20, 2011, Case No. 2010.0805D, that a project located at 1787 Union Street is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves legalizing the removal of an elevated glass sunroom enclosure and establishing an open patio at the front of the building for an existing full-service restaurant and bar (dba "The Brick Yard"), Lot No. 017 in Assessor's Block No. 0544. (District 2) (Appellant: Gloria D. Smith, on behalf of the Golden Gate Valley Neighborhood Association). (Filed April 13, 2011; Companion Measure to File Nos. 110475, 110476 and 110477.)

The President inquired as to whether any member of the public wished to address the Board. Gloria Smith and Megan Chechile (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Donna Morrison; Skye Czember; Bob Bardell; Serena Bardell; Anne McKenzie; Jerry Czember; Jeffrey Lee; Ann Alioto; Melinda Cardwell; Terry Morrison; Patricia Vaughney; spoke in support of the appeal. Kelley Amdur (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Alex Rosenthal and Darren Matte (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Aaron Little; Josh Spiegelman; Brad Johnson; Harry Kenning; Sam Landrum; Matt Seliga; Dina Eppley; Nate Mezmer; Anderson Pucash; Sean Wells; Eric Roblee; Logan Shedd; Michael; Dominic Chin; Jason Damaschino; spoke in support of the project and in opposition to the appeal. Gloria Smith (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110475 [Affirming the Exemption Determination - 1787 Union Street]

Motion affirming the determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

Motion No. M11-84

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110476 [Reversing the Exemption Determination - 1787 Union Street]

Motion reversing the determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110477 [Preparation of Findings to Reverse the Exemption Determination - 1787 Union Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMITTEE REPORTS**Recommendation of the Public Safety Committee****110565 [Joint Powers Agreement - Bay Area Regional Interoperable Communications System Authority]**

Sponsors: Mayor; Chu, Chiu, Cohen and Mirkarimi

Resolution approving a Joint Powers Agreement establishing the Bay Area Regional Interoperable Communications System Authority and authorizing payment of membership fees.

Resolution No. 223-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee**110595 [Convening the Redistricting Task Force]**

Sponsors: Chiu; Kim

Ordinance convening the Redistricting Task Force, pursuant to Charter Section 13.110(d), and amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-397 to include the Redistricting Task Force in the City's Conflict of Interest Code.

See File No. 110697.

Supervisor Mirkarimi, seconded by Supervisor Avalos, moved that this Ordinance be DIVIDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Ordinance convening the Redistricting Task Force, pursuant to Charter Section 13.110(d).

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110697 [Campaign and Governmental Conduct Code - Adding Redistricting Task Force To Conflict of Interest Code]**Sponsors:** Chiu; Kim

Ordinance amending the City's Conflict of Interest Code to include the Redistricting Task Force.

See File No. 110595.

Supervisor Mirkarimi, seconded by Supervisor Avalos, moved that this Ordinance be DIVIDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee**110300 [Development Agreement - Parkmerced]****Sponsor:** Elsbernd

Ordinance approving a Development Agreement between the City and County of San Francisco and Parkmerced Investors, LLC, for certain real property located in the Lake Merced District of San Francisco, commonly referred to as Parkmerced, generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b); and waiving certain provisions of Administrative Code Chapter 56. (Planning Department) (Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110301 [Planning Code - Special Use District - Parkmerced]**Sponsor:** Elsbernd

Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Parkmerced Zoning Districts; adding Section 249.64 to establish the Parkmerced Special Use District; amending Planning Code Section 270 to refer to the Parkmerced Special Use District; and adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110302 [Planning Code - Zoning Map Amendments - Parkmerced]**Sponsor: Elsbernd**

Ordinance amending the San Francisco Planning Code by amending Sectional Maps ZN13, HT13, and SU13 of the Zoning Map of the City and County of San Francisco to reflect the Parkmerced Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110303 [General Plan Amendment - Parkmerced]**Sponsor: Elsbernd**

Ordinance amending the San Francisco General Plan by amending the Urban Design Element Height Map with respect to the Parkmerced site; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Male Speaker; expressed various religious concerns.

Ray Hartz; expressed concerns relating to government.

Michael Pierce; expressed concerns relating to AT&T.

Dale Seymour; expressed various concerns.

Male Speaker; expressed various concerns.

Mark Samit; expressed concerns relating to glass steagall.

Wes; expressed concerns relating to glass steagall.

Hugh Townsend; expressed concerns relating to graffiti and noise.

Ace Washington; expressed various concerns.

Mark; expressed concerns relating to taxi cab meter increase.

Barry Cornwel; expressed concerns relating to taxi cab meter increase.

Ed Hilley; expressed concerns relating to taxi cab meter increase.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110668 [Lyme Disease Awareness Month - May 2011]****Sponsors:** Kim; Campos

Resolution proclaiming May 2011 as Lyme Disease Awareness Month in the City and County of San Francisco.

Resolution No. 224-11**ADOPTED****110425 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on a resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

Motion No. M11-85**APPROVED****110665 [Committee of the Whole - Authorizing the Use of Real Property Located at 701 Lombard Street - Joe DiMaggio Playground Master Plan Project]****Sponsor:** Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on a resolution authorizing the use of real property located at 701 Lombard Street (Assessor's Block No. 0074, Lot No. 001) for purposes consistent with the Joe DiMaggio Playground/North Beach Library Master Plan Project; adopting environmental findings and findings of consistency with the General Plan and City Planning Code Section 101.1.

Motion No. M11-86**APPROVED****110670 [Suspending Board Rule 4.29 - Time of Public Hearing(s) on Appeal(s) on June 7, 2011]****Sponsor:** Chiu

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) may be scheduled at any time during the Board meeting of June 7, 2011.

Motion No. M11-87**APPROVED**

110679 [Final Map 5388 - 1840 Washington Street]

Motion approving Final Map 5388, a 26 Unit Residential Condominium Project, located at 1840 Washington Street being a subdivision of Lot 008 in Assessors Block No. 0599 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-88

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisors Wiener and Avalos requested that File No. 110669 be severed so that it may be considered separately.

110669 [Opposing Taxi Fare Increase Without Improved Taxi Service]

Sponsors: Wiener; Farrell and Cohen

Resolution opposing proposed taxi fare increase under consideration by the Municipal Transportation Agency in the absence of improved taxi service.

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to June 7, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chiu requested that File No. 110672 be severed so that it may be considered separately.

110672 [Committee of the Whole - Amending Zoning Designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01)]

Sponsor: Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on an ordinance amending the San Francisco Zoning Map by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street from the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on an Ordinance amending the San Francisco Zoning Map, by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street and 2000 Mason Street (Assessor's Block No. 75, Lot No. 01) from the Telegraph Hill - North Beach Residential Special Use District and to remove 701 Lombard Street from the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be **CONTINUED AS AMENDED** to June 7, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Charter Amendment

110058 [Charter Amendment - City Retirement Benefits and Health Care Benefits]

Sponsors: Mayor; Elsbernd, Avalos, Chiu, Chu, Cohen, Farrell and Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending the provisions in Appendix A to: 1) adjust contribution rates for current and future employees to the San Francisco Employees' Retirement System (SFERS) based on the rate employers are required to pay each year; 2) limit SFERS' supplemental cost of living adjustments to retiree benefits for all employees and retirees; 3) create new retirement plans for employees commencing employment on and after January 7, 2012; 4) require elected officials to pay their contributions to SFERS; 5) allow certain individuals who are members of the California Public Employees' Retirement System (CalPERS) to become members of SFERS; 6) change the composition of the Health Service Board (HSB); 7) change the vote requirement for the HSB to approve member health care plans; 8) require current employees to contribute to the Retiree Health Care Trust Fund beginning in fiscal year 2016-17; 9) restrict certain retiree health care benefits for employees who left City employment, but have not yet retired, to those benefits in place at the time they left employment; 10) reduce employers' contributions into the Health Service System Trust Fund under certain circumstances; and 11) make certain other changes to retirement and health care benefits.

05/24/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Ordinance

110312 [Zoning Map Amendment - 701 Lombard Street]

Sponsors: Chiu; Mayor

Ordinance amending the San Francisco Zoning Map, by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" Open Space Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street and 2000 Mason Street (Assessor's Block No. 75, Lot No. 01) from the Telegraph Hill - North Beach Residential Special Use District and to remove 701 Lombard Street from the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

03/15/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/14/2011.

03/28/11; REFERRED TO DEPARTMENT.

05/24/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110059 [Cooperative Agreement - San Francisco Bay Area Rapid Transit District]

Sponsor: Chiu

Resolution approving a Cooperative Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District (BART), through its Port Commission, authorizing BART to install, use, and maintain security barriers on and under the Ferry Plaza Platform, on the east side of the Ferry Building along the Embarcadero, for a term of 66 years, subject to BART's right to request an extension before the end of the 64th year of the term.

05/24/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110060 [Apply for Grant - Statewide Park Program]

Sponsors: Avalos; Elsbernd and Campos

Resolution approving Office of Economic and Workforce Development to apply for grant funds from Statewide Park Program Grant Funds.

05/24/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110061 [Urging Congressional Funding for Pedestrian, Bicycle, and Transit Projects]

Sponsors: Mirkarimi; Chiu and Campos

Resolution urging the United States Congress to maintain federal funding for pedestrian, bicycle, and transit projects.

05/24/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**110063 [Hearing - Audit Recommendations by the Controller/City Services Auditor Implementation]****Sponsor: Campos**

Hearing on City Departments progress on implementation of audit recommendations by the Controller/City Services Auditor.

05/24/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110064 [Hearing - Standards on Development Projects and Environmental Health Impacts]
Sponsor: Campos

Hearing on the standards, procedures, laws, and ethics rules that govern the Department of Public Health's regulators responsible for reviewing development projects that may cause environmental health impacts.

05/24/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110065 [Hearing - Muni Light Rail Vehicle Service for February, March, and April 2011]
Sponsor: Chu

Hearing to receive performance data on Muni service along all Light Rail Vehicle (LRV) lines for months of February, March, and April 2011 including: 1) information regarding missed runs and causes for missed runs; 2) on-time performance; 3) number of switchbacks; and 4) steps taken by the Municipal Transportation Agency to address performance issues.

05/24/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110066 [Hearing - Educational Components of HOPE SF]
Sponsor: Cohen

Hearing to review and discuss the ongoing partnerships between the San Francisco Unified School District and the HOPE SF Program.

05/24/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110111 [Hearing - Candlestick Point/Hunters Point Shipyard Core Community Benefits Agreement]**Sponsor: Cohen**

Hearing to review an update on the initial education related expenditures stemming from the Core Community Benefits Agreement.

05/24/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110134 [Hearing - Regulations for Issuing Excavation Permit for the Installation of Surface-Mounted Facilities in the Public Rights-of-Way]**Sponsor: Wiener**

Hearing on Department of Public Works Order No. 175,566 regulations for issuing excavation permit for the installation of surface-mounted facilities in the public rights-of-way, and a discussion with Department of Public Works, City Planning, Municipal Transportation Authority, and the Public Utilities Commission of the extent to which the Department of Public Works Order and the siting of surface-mounted facilities conform with the General Plan and the Better Streets Plan.

05/24/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES****110622 [Administrative Code - Allowing Paid Administrative Leave in Certain Circumstances]**

Ordinance amending the San Francisco Administrative Code by adding Section 16.10 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

05/09/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2011.

110623 [Changing the Official Sidewalk Width - Brotherhood Way]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1588 to change the official sidewalk width on north side of Brotherhood Way west of Chumasero Drive; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

05/10/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110624 [General Plan Amendments - Executive Park Subarea Plan]

Ordinance amending the San Francisco General Plan by amending the Executive Park Subarea Plan of the Bayview Hunters Point Area Plan, the Land Use Index and maps and figures in various elements and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

(Economic Impact.)
05/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110625 [Planning Code - Zoning - Executive Park Special Use District, Special Height and Bulk Provisions, and Permit Review Procedures]

Ordinance amending the San Francisco Planning Code by adding Section 249.54 to establish the Executive Park Special Use District; adding Section 263.27 to establish Special Height Provisions for the Executive Park Special Use District and the 65/240 EP Height and Bulk District; amending Table 270 to provide that the Table is not applicable to the Executive Park Special Use District; and adding Section 309.2 to establish Permit Review Procedures in the Executive Park Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

05/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110626 [Zoning Map Amendments - Executive Park Subarea Plan Area]

Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU10 of the Zoning Map of the City and County of San Francisco to establish the Executive Park Special Use District; amending Sectional Map HT10 to establish the 65/240-EP Height and Bulk District; amending Sectional Map ZN09 to change certain Executive Park parcels from C-2(Community Business) and M-1(Light Industrial) to RC-3(Residential-Commercial Combined, Medium Density); adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

05/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110627 [General Plan Amendment - Community Safety Element]

Ordinance amending the San Francisco General Plan by amending the Community Safety Element to reference the most recent Hazard Mitigation Plan; and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and environmental findings. (Planning Department)

05/24/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/23/2011
7/1/2011 - Hearing notice was published and posted.

Requests Granted

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance that would establish a Foreclosure Registry:

- Requiring banks to register with the City properties in default within 30 days.
- Requiring owners to register transfer of title of foreclosed property within 30 days.
- Requiring owners of foreclosed properties to maintain properties to neighborhood standards and secure from unauthorized persons.

From: Supervisor Chu

To: Director, Recreation and Parks Department

To: President, SF Public Utilities Commission

Requesting/Inquiring: Supervisor Chu is requesting an inquiry to the Recreation and Parks Department and the Public Utilities Commission on the long term plans for Camp Mather. Please detail specifically the capital needs of the facility and provide five years of data on the operational expenses (maintenance, repair, staffing, overhead, etc.) and revenues of the facility. Please provide background information on the programming provided at the site in a given year (for example, days when camp services are provided, or other programmed days). Please discuss the departments' plans to meet long term operational and capital maintenance goals.

From: Supervisor Farrell

To: Chief, Police Department

To: Director, Entertainment Commission

Requesting/Inquiring: Requesting the Entertainment Commission and the SFPD Northern Station to conduct random noise tests at 1787 Union Street (The Brick Yard) after their outside patio becomes operational to determine compliance with the City's noise ordinance pursuant to Police Code Section 2916. See letter below.

As soon as the outdoor patio at 1787 Union Street is completed and in use, I request that both the SFPD Northern Station and the Entertainment Commission conduct at least three random noise tests over a three-month period during various points of the day and evening to determine compliance with the City's Noise Ordinance and to report back to my office with their findings during their analysis and at the end of the three-month period.

On January 20, 2011, the Planning Commission set forth conditions at the Discretionary Review Hearing to address noise issues. Those conditions include closing the outdoor patio by 10:00p.m., keeping the doors closed if the patio is not occupied; keeping two of the five panel doors closed when patrons are seated on the patio, limiting the seating to 12 people. Installing a canvas awning to dampen the sound and other conditions.

If any of these conditions are not being met or the property is in violation of the City's Noise Ordinance when the agency is conducting the noise test, that should also be noted in the report back to my office. Thank You Supervisor Mark Farrell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Northwest and Southwest corners of Fillmore and Post

Southwest corner of Divisadero and Sutter

347 Judah

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
Southeast corner of Ashbury and Haight
444 Divisadero
Southeast corner of Haight and Masonic

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 7th Ave.
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
Southeast corner of Haight and Ashbury
Southeast corner of Cole and Haight
Southeast corner of Buena Vista East and Haight
Southeast corner of Buena Vista West and Haight
Southeast corner of Cole and Hayes
Southeast corner of Haight and Divisadero
783 Haight
1614 Haight
Northeast corner of Haight and Shrader
Northeast corner of Haight and Steiner

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Fillmore and O'Farrell
Northeast corner of Haight and Shrader
Northeast corner of Haight and Stanyan
Southwest corner of Haight and Clayton

SF Weekly

Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Southeast corner of Masonic and Hayes
444 Divisadero
Northeast corner of Haight and Steiner
Northeast corner of O'Farrell and Fillmore
Northeast corner of Masonic and Fell
Northeast corner of Cole and Haight

Advertiser

Southeast corner of Hayes and Masonic

Jobs and Careers

Northwest corner of Fillmore and O'Farrell

Western Edition HP Journal

Northwest corner of Fillmore and O'Farrell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Bus Shelters

Southeast corner of Haight and Divisadero

Southwest corner of Haight and Pierce
Southwest corner of Buena Vista East and Haight
Southeast corner of Buena Vista West and Haight
Southeast corner of Pierce and Hayes

Utility Boxes

Northeast corner of Page and Divisadero
Northwest corner of Masonic and Haight

Emergency Boxes

Northwest corner of Fell and Pierce
Southwest corner of Page and Pierce
Intersection of Buena Vista East and Waller
Northeast corner of Lyon and Haight
Parking and Traffic Signals/Signs
2131 Grove
Opposite 509 Pierce
1601 Grove
Approximately 750 Stanyan
Approximately 1108 Waller
Northwest corner of Waller and Ashbury
2130 Fell, in median
Approximately 1180 Steiner

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

1451 Haight
Northeast corner of Divisadero and Hayes
2155 Hayes
338 Divisadero
Northeast corner of Haight and Divisadero
840 Haight
839 Haight
509 Pierce
Approximately 1407 Steiner
309 Pierce
Approximately 301 Pierce
749 Waller
779 Waller
Approximately 975 Waller
Northwest corner of Central and Waller
Approximately 1600 Waller
1673 Oak
1979 Oak
2080 Oak, in median
1340 Haight
Northwest corner of Masonic and Haight
Southeast corner of Ashbury and Haight
1772 Haight
Northeast corner of Clayton and Haight
1474 Haight
1428 Haight
Opposite 1146 Haight

Southeast corner of Buena Vista West and Haight

*Wood Poles
1714 Hayes*

*Concrete Poles
Northwest corner of Ellis and Steiner
1333 Steiner*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting /Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:*

Residential and Commercial Buildings

*1365 Grove
1315 Grove
285 Divisadero
Northeast corner of Haight and Steiner
616 Haight
739 Haight
707 Haight
546 Haight
896 Steiner
431 Pierce
1970 Fell
1637 Oak
1865 Oak, on East side
600 Stanyan
507 Divisadero
1390 Haight
1328 Haight
1317 Haight
1452 Haight
1816 Haight
1825 Haight
1675 Haight
1555 Haight
1553 Haight
1474 Haight*

*Planter Boxes
1605 Haight*

*Parking Lots
Northwest corner of Divisadero and Grove*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:*

*Garbage Cans
1250 Waller
Northeast corner of Cole and Haight
Intersection of Waller and Buena Vista East
Northeast corner of Belvedere and Haight*

1855 Haight
Southeast corner of Buena Vista West and Haight
Southwest corner of Clayton and Hayes
Southeast corner of Haight and Divisadero

Mailboxes
Southeast corner of Masonic and Hayes
554 Clayton

Street Walls and Overpasses
Approximately 1451 Steiner
Opposite 1045 Hayes

Curbstones and ADA Curb Ramps
Northwest corner of Divisadero and Waller
Southwest corner of Lyon and Haight

Public Benches
Northeast corner of Masonic and Hayes
Northwest corner of Masonic and Hayes

Fire Hydrants
Northeast corner of Clayton and Hayes
Southeast corner of Ashbury and Haight
Northwest corner of Haight and Cole
Northwest corner of Waller and Central
Southeast corner of Buena Vista East and Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Sidewalk Dumping
1844 Fell
Opposite 1057 Steiner

Dangerous Sidewalks
2052 Fell

In Memoriams

Bill Noonan – Supervisor Elsbernd
Elizabeth Flood – Supervisor Farrell
Dave Yan – Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:01 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 12, 2011.

Angela Calvillo, Clerk of the Board

